

**PB# 88-59**

**George Ross**

**35-1-45**

9/25 | ARS | 18

*Approved*

11-30-93

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

# GENERAL RECEIPT

13747

November 24 19 93

Received of George Ross \$ 1,066.50

One Thousand Sixty Six and 50/100 DOLLARS

For Eng + Professional Fees Planning Board #88-59

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>06-281</u>		<u>1066.50</u>

By Pauline H. Townsend  
CS

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

# GENERAL RECEIPT

13746

November 24 19 93

Received of George Ross \$ 150.00

One Hundred Fifty and 00/100 DOLLARS

For Planning Board Approval Fee #88-59

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>06-283</u>		<u>150.00</u>

By Pauline H. Townsend  
CS

Town Clerk

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Title

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, N. Y. 12550

# GENERAL RECEIPT

10868

November 4, 19 88

Received of George Ross \$ 25.00

Twenty-five and 00/100 DOLLARS

For Planning Board application fee 88-59

DISTRIBUTION

FUND	CODE	AMOUNT
<u>06-362</u>		<u>25.00</u>

By Pauline H. Townsend  
CS

Town Clerk

Williamson Law Book Co., Rochester, N. Y. 14609

Title

Planning Board

Town Hall

555 Union Ave.

New Windsor, N.Y. 12553

NO. 88-59

November 24, 19 93

FUND	CODE	AMOUNT
OK # 281		1066.50

By Pauline G. Townsend

**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, NY 12550

# GENERAL RECEIPT

13746

November 24 1993

Received of George Ross \$ 150.00  
One Hundred Fifty and 00/100 DOLLARS

For Planning Board Approval Fee # 88-59

DISTRIBUTION:

FUND	CODE	AMOUNT
OK # 283		150.00

By Pauline G. Townsend

Town Clerk

Title

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**TOWN OF NEW WINDSOR**  
555 Union Avenue  
New Windsor, N. Y. 12550

# GENERAL RECEIPT

10858

November 4, 1988

Received of George Ross \$ 25.00  
Twenty-five and 00/100 DOLLARS

For Planning Board application fee 88-59

DISTRIBUTION:

FUND	CODE	AMOUNT
OK # 362		25.00

By Pauline G. Townsend

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

Planning Board  
Town Hall  
555 Union Ave.  
New Windsor, N.Y. 12553

NO. 88-59

November 24, 1993

RECEIVED FROM George Ross

Three Hundred Thirty-Eight 12/100 DOLLARS  
4% Inspection fee (4% of \$8,453.00 Cost estimate)

Account Total \$ 338.12

Amount Paid \$ 338.12

Balance Due \$ -0-

Neil Imptela  
Myra Mason, Secy to the P.B.

THE EFFICIENTLINE AN AMRAD PRODUCT



County File No. NWT 33 90 M

**COUNTY PLANNING REFERRAL**

(Mandatory County Planning Review under Article 12-B,  
Section 239, Paragraphs 1, m & n, of the  
General Municipal Law)

Application of George Ross - Rte. 32 (West Side)  
for a Proposed restaurant - Within 500' of Town Variance & NYS  
County Action: Local Determination

**LOCAL MUNICIPAL ACTION**

The Above-cited application was:

Denied ..... Approved .....

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning  
within 7 days of local action.

Planning Board

Town Hall

555 Union Ave.

New Windsor, N.Y. 12553

NO. 88-59

March 27, 1995

RECEIVED FROM George Ross

Two Thousand Nine Hundred Thirty-Eight<sup>00/100</sup> DOLLARS  
Site Plan Fee (Rt. 32 - P.B. #88-59)

Account Total \$ 2,938.00

Amount Paid \$ 2,938.00 CK #460

Balance Due \$ -0- Nysa Mason, Sec'y to the P.B.

THE EFFICIENTLINE<sup>®</sup> AN ARCADIS PRODUCT

*Pat Torpey*  
*565-9144*

*D. Zappalo*

ROSS, GEORGE SITE PLAN #88-59

PLANNING BOARD FILE NUMBER: 88-59

MEMORANDUM FOR FILE

DATE: 8-29-95

On this date: Called Alan Ambrad (562-3366) to discuss  
the approval regarding "repair shop" for G. Ross. - He  
will return call.

8/30/95 Spoke to "Mr. Ambrad" - told him this is  
not an approved repair shop and he said he  
would call Andy Krieger.

(u)

ROSS, GEORGE

MR. PETRO: Does everyone have the letter from Mr. Lander? Basically, he's talking about the concrete bumpers that are missing down at the New Windsor Mall. It's easier to snowplow. Mike, is there any way you can enforce that through your department?

MR. BABCOCK: I can talk to them.

MR. PETRO: Do that first and see if that resolves everything.

MR. VAN LEEUWEN: He's amicable.

MR. BABCOCK: Oh, yeah.

MR. PETRO: He might just not have put them back but Mr. Lander has a good point, it's part of the plan and secondly, Mr. George Ross is in site plan violation because the area lighting does not work, one light is on, the other is off. I don't think it's the bulb. Myra, instruct you to send Mr. Ross a letter again just a brief letter requesting that the lighting should be in working order and it's been brought to our attention that it is not in effect, at least look into it and get it working, okay? Thank you.

MR. VAN LEEUWEN: He's got--

MR. BABCOCK: Didn't Mr. Ross just post his bond last week?

MS. MASON: Yes.

MR. EDSALL: Nothing else.

MR. VAN LEEUWEN: I make a motion we adjourn.

MR. STENT: Second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. STENT	AYE

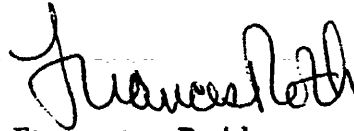
April 12, 1995

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MR. DUBALDI  
MR. PETRO

AYE  
AYE

Respectfully Submitted By:

A handwritten signature in cursive script, appearing to read "Frances Roth".

Frances Roth  
Stenographer

4/24/95

RESULTS OF P.B. MEETING

DATE: August 23, 1995

PROJECT NAME: George Ross - S.P. PROJECT NUMBER 88-59

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M)    S)    VOTE: A    N   

\* M)    S)    VOTE: A    N   

CARRIED: YES    NO   

\* CARRIED: YES:    NO   

\*\*\*\*\*

PUBLIC HEARING: M)    S)    VOTE: A    N   

WAIVED: YES    NO   

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

Check time limit of Spec. Permit

Not approved for use Auto Rep Shop -  
Mr. Ross to make applic. for use

ROSS, GEORGE SITE PLAN - ROUTE 32

MR. PETRO: Is someone here to represent this?

MR. BABCOCK: Nobody will be here for that.

MR. PETRO: You want to talk about it?

MR. BABCOCK: I'm can give you a little background. Mr. Axelrod that represents George Ross contacted me by phone, asked me if I could have the C.O. for where 20th Century Towing used to be on Route 32. He wants a C.O. to say automobile repair shop. So Myra got out the minutes from the planning board where he had gotten approval, you remember the gentleman before him got approval for a detail shop and then Pat Torpe from 20th Century Towing came into the board and got his approval to operate his business there which was towing and recovery.

MR. DUBALDI: Be with limited hours.

MR. BABCOCK: Then he came back and there was some discussion because he needed a letter from us to get his--

MR. LANDER: State won't give him.

MR. BABCOCK: Towing license, whatever, repair license which Mr. Van Leeuwen in the minutes couple times Mr. Van Leeuwen said that he was familiar with that and he definitely needed the letter so we give Mr. Torpe a letter so he was able to get his proper permits or whatever he needed from the state but reading the minutes, it sounded to me like this board did not approve an automobile repair shop so.

MR. VAN LEEUWEN: Never asked, really asked to have--

MR. BABCOCK: The thing is is that day the code says automobile repair shop we don't have a code that says detail shop, we don't have a code that says fixing windshield shop, we don't have a code that says muffler shop, it's automobile repair.

MR. PETRO: George right next door has automobile repair, how did he get it?

MR. BABCOCK: Which was Lee Myles Transmission, it's a C Zone, automobile repair shop is permitted there.

MR. LANDER: See if I can just interject one thing now, my recollection of this was that this fella needed a letter from us to the state saying that we would allow it was an approval included automobile repair shop so that he can get his towing or recovery thing whatever the state needed.

MR. VAN LEEUWEN: But he wasn't going to do any repairs there.

MR. LANDER: Right but it was a conditional approval.

MR. ESDALL: I think it's important to understand that the approval that he got was for use B5 which is a special permit use says service repair garages Andy, correct me if I am wrong, my understanding of a special permit use is that you have the ability to limit the hours of operation, the specific type of operation, to suit the particular problems in the area and the particular needs of the applicant so he didn't get a broad encompassing approval to do whatever the heck he wants, I'm sure he made an application and told you what he wanted, the letter that got sent for benefit of his state approval for his permit didn't modify what you approved, I think that is what his problem is, he doesn't understand that.

MR. LANDER: Well, he doesn't want to understand it.

MR. EDSALL: Maybe he will have to have it explained to him.

MR. STENT: Was he given approval without restrictions?

MR. LANDER: He had everything.

MR. VAN LEEUWEN: Then he came back and said to us look, can I get a letter in order for me to get a towing license, I have got to have a letter from you

people stating that I can operate there so we accommodate him, gave him a letter but that does not give him the right to but a repair shop on that particular location that we did not give him.

MR. STENT: So he probably posted a sign registered repair shop on his building.

MR. LANDER: That is probably what he needed to get, the recovery license, so seeing as it was a special permit and it was a conditional approval for that, I don't think Mr. Ross has a leg to stand on cause I don't think we need another repair shop in there, we've got one next door, the other one Barry's Automotive is in there, a detail shop was fine.

MR. EDSALL: Just for the record, the letter that was sent out which I had sent out on behalf of the planning board after the meeting with Mike on it, the third paragraph in the letter says it should be noted that the site plan approval includes the issuance of a special permit which makes the project subject to specific requirements and restrictions outlined by the board. These apply notwithstanding any classification of use by the State of New York, pretty clear.

MR. PETRO: Yeah, but I'm confused about one thing. Is an automobile repair shop a permitted use or not?

MR. EDSALL: No, service repair garage is what the special permit use that is approved in the zone.

MR. PETRO: Service repair shop?

MR. EDSALL: Service repair garage.

MR. PETRO: What's the difference?

MR. EDSALL: I can look in the definition, I don't know, alls I can tell you with a special permit use I know you consider particular uses as they are presented.

MR. PETRO: Service repair shop.



MR. EDSALL: Service repair garages use B5.

MR. PETRO: Permitted use in the C zone?

MR. EDSALL: By special permit it's permitted.

MR. PETRO: So, I think it's clear that he'd have to make application again if he wanted to continue for special use permit.

MR. LANDER: Question. How long was the special permit for? Was it for a year?

MR. VAN LEEUWEN: We limit that to a year.

MR. LANDER: We usually don't grant it for more than that.

MR. BABCOCK: When we grant a special permit, there's many special permits that we do not make expire, most of the time.

MR. PETRO: They can be brought in.

MR. BABCOCK: We say your special permit is renewable once a year. If we don't say that, it never comes back unless there is a problem.

MR. VAN LEEUWEN: If I remember correctly, it was one year.

MR. PETRO: I don't know that.

MR. LANDER: Research the minutes, see if we put a time limit on that because I'm sure we did because we know who we're dealing with.

MR. PETRO: If we did not put a time limit special use permit is still in effect, we still have the option, we can ask him to come in at any time that we want to review it.

MR. VAN LEEUWEN: I suggest we ask Mr. Ross to come in.

MR. LANDER: I knew this was going to come back and

bite us because we gave this guy this letter, it was, he had approval for detail shop, not the automobile repair, all right?

MR. VAN LEEUWEN: He said all he was going to do was put on minor shocks, possibly a muffler, possibly a tail pipe and that would be the extent of the repairs that he would ever do there.

MR. LANDER: Who said that?

MR. VAN LEEUWEN: He did, Century 21.

MR. LANDER: He said he probably wouldn't do any there, he just needed to get his license and we obliged him so he could get going all right and--

MR. BABCOCK: First he asked for detail shop. See, he was going to work for Newburgh Auto Mart washing and waxing cars, maybe change a windshield wiper blade, then Mr. Torpe came in and wanted to use it for a recovery place. The board felt that it didn't change the use of the building enough to require a new special permit. Because we were wondering whether we had to have a new public hearing and all that stuff, so we went on to it and Mr. Torpe went into business, except the problem was is that he needed this letter. So in the letter, it says there's a section that says permitted to operate automobile repair shop. Well, Mr. Ross' attorney is saying that you allow Mr. Torpe this letter to say this, alls I want you to do is allow this guy to do the same thing.

MR. LANDER: No.

MR. BABCOCK: My problem I have to answer him Mr. Axelrod wants an answer, I asked him if he can talk to Mr. Krieger in reference to this.

MR. VAN LEEUWEN: I make a suggestion, I make a suggestion we ask Mr. Ross to come in and apply and we'll talk to him and Mike can get back to the attorney and say look, the board said Mr. Ross can come in and talk to us and if he wants to come in, Mr. Ross, fine. If he doesn't, that is okay too.

MR. BABCOCK: So I should tell him that it's the board's understanding that it has not been approved for an automobile repair shop and that he should start the process to get that approval.

MR. KRIEGER: Yes.

MR. STENT: Question also Mike about the electrical work that was required was to be heavy enough to handle automobile repair shop.

MR. BABCOCK: Yes.

MR. STENT: We required him to have the proper electric for the automobile repair shop.

MR. BABCOCK: I don't think this board required that, I think the building department did that.

MR. STENT: Building department did it, building inspector's office required it.

MR. BABCOCK: We don't, if you bring a car inside a building and you're working on that car, whether you're waxing it or taking the muffler off, it's automobile repair and New York State code says the building has to meet a certain code to do that, especially it's just when you bring that, I know when you bring that car inside that building and you're going to be doing repairs to the car in anyway, it's a repair shop.

MR. LANDER: Wash and wax is a repair?

MR. BABCOCK: The code hasn't got to the detail shop, that is something that is new in the last year or two years.

MR. LANDER: So we have a little flexibility with that.

MR. BABCOCK: That is correct.

MR. LANDER: I can tell you right now I wouldn't go for it, tell you that right now, might as well clear the air.

MR. STENT: Is that the building in the back with the stockade fence?

MR. LANDER: Yes, got the big boat in the back. There's a boat bigger than the building.

MR. PETRO: If you go along with what Mr. Van Leeuwen said, I think I said it about five minutes ago also, anyone can make application to this board for anything. So you can explain that to Mr. Ross and if he wants to make application to have an automobile repair shop or whatever they state that in the code book there that is his business and he can do so. You may want to inform him that there are a couple of the members that are not overwhelmingly pleased with it and he may get a little friction there.

MR. EDSALL: In effect, what he had been doing is applying to modify the special permit that was previously granted cause the special permit has certain restrictions, he's looking to change the type of operation to a certain extent and modify those restrictions so that he effectively would be coming in and asking to modify the special permit approval. That is my understanding.

MR. LANDER: But what he is saying here in his letter is that he doesn't even have to come back in here, he already has it, that is the feeling I get.

MR. VAN LEEUWEN: That is why he went out and got a lawyer but actually, he is going to say okay, let's go down and check it out, let the man come in and talk to us and we'll get a handle on it.

MR. BABCOCK: Apparently, the gentleman that is operating the business needs the C.O. to stay in automobile repair and I'll not do that until this board approves that.

MR. LANDER: What does he have, a C.O. for now?

MR. BABCOCK: Detail shop.

August 23, 1995

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MR. LANDER: I never even know what was going on there, I see cars every now and then, car going in and out but people ask me, I say I don't know.

MR. PETRO: That is what we're going to do. Mike, you've got a handle on that? Off the record.

(Discussion was held off the record)



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**24 March 1995**

**MEMORANDUM**

**TO: Michael Babcock; Building Inspector**

**FROM: Mark J. Edsall, P.E., Planning Board Engineer**

**SUBJECT: GEORGE ROSS SITE PLAN  
NEW WINDSOR PLANNING BOARD NO. 88-59  
FIELD REVIEW 22 MARCH 1995**

This memorandum shall confirm our joint field review on the afternoon of 22 March 1995 at the George Ross site on Route 32 in the Town. Also present during this field review were Mr. George Ross and Alan Axelrod, Esq., Mr. Ross's Attorney.

We used my previous memorandum dated 1 July 1994 as a guide for our review. As such, the following observations are in order of the comments in that memorandum:

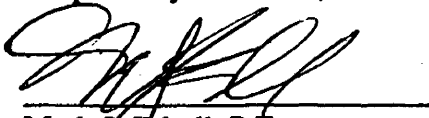
1. The non-registered cars which were for sale have been removed from the site.
2. Some improvement has been noted with regard to the condition of the landscaping at the front of the project site. Mr. Ross indicates that upon the arrival of the Spring Season, this will be further improved.
3. The portable sign at the front of the site has been removed.
4. The pavement markings still do not comply with the approved site plan. Further, spaces of varying widths were noted (most did not comply with the Town code 10' width). Mr. Ross was advised that the striping must be re-done in proper form.
5. The handicapped signs for the restaurant have been installed and are acceptable.

6. The pavement markings for the handicapped spaces are not of the required blue color and must be corrected. It was also noted that Mr. Ross would like to modify the parking space arrangement near the right rear occupancy (Orange Sales, formerly 20th Century Towing); therefore, the handicapped space may be relocated as part of the new striping installation.
7. Mr. Ross has performed some additional paving repairs for the front of the lot. In general, the pavement condition is poor, with the asphalt significantly fractured and breaking-up. It is my understanding that repaving of the front lot was not a condition of his approval; however, I strongly recommend that he consider an overlay as soon as possible (at minimum).
8. The dumpster has been properly placed in the enclosure and the "mess" significantly cleaned up.
9. The dumpster enclosure doors have been re-installed and they appear functional at this time.
10. The area behind the dumpster and behind the restaurant building has been significantly cleaned-up. The white fur plantings have been installed, although they are apparently 3 to 4' height, rather than the 5' height specified on the plans.
11. The fence along the rear portion of the right side of the property and the right side of the rear property line (around the former 20th Century Towing storage yard) has been installed. The Owner advises us that the white fur plantings along the exterior of the fence existed prior to the fence installation; however, all these plantings have died from either vandalism or natural causes. A significant amount of vegetation exists along the outside of this fence; as such, we have been advised by the Owner that he may seek relief from the Planning Board for the requirement to replant the white furs.
12. This handicapped sign has been installed. As noted above, this space may be relocated as part of the re-dash striping.
13. See comment #12.
14. The catch basin grate remains unstable and it appears that the basin has not been reconstructed as previously required. Mr. Ross was advised that this reconstruction should be properly complete.
15. See Item #14.

24 March 1995

We explained to Mr. Ross and Mr. Axelrod the procedure for bonding of non-completed site improvements items at the time of request for a Certificate of Occupancy. It is my understanding that Mr. Ross is to appear before Judge Thorpe on 4 April 1995 in connection with his occupancy of the Orange Sales building without a Certificate of Occupancy. It appears at this time that they will proceed with the posting of a bond such that the C of O can be obtained before their reappearance in Court.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJesh

cc: James Petro, Planning Board Chairman  
a:ross.sh



ROSS, GEORGE SITE PLAN - 88-59

MR. LANDER: Mr. Ross, you visited the site and had pleasure of talking to him?

MR. EDSALL: Yes, him and his attorney, with Mr. Babcock and they have made quite a bit of, quite a number of improvements, they have in my, mind and obviously having visited the site now for numerous years, they've cleaned it up quite a bit. They have installed a fence that was in question and one item I believe they may be coming to this board to seek some relief on is the requirement for plantings along the exterior of that fence for the right rear building and I think if you look at it, it's quite vegetated in the area anyway, it looks like it would be very difficult to get in there and plant them anyway. So just keep that in mind of your review of the site. It's my understanding at this point that they are attempting to get a C.O. so they can avoid a visit with the judge and in that regard, they'll be bonding the outstanding items. So I think they are on target.

MR. BABCOCK: No, the striping and the plantings and catch basin need to be fixed.

MR. EDSALL: Catch basin was unable to withstand my personal weight without rocking, I thought that was less than a vehicle weight so I suggested they fix it once and for all and the striping was quite a bit off but--

MR. LANDER: That is a joke, too.

MR. EDSALL: I also suggested to Mr. Ross that he consider looking at an overlay for the whole front parking area because the pavement is absolutely breaking up.

MR. LANDER: Mr. Edsall, is the fence the newly installed stockade fence on the Chalef side of the property, is that right on the property line?

MR. BABCOCK: It's in off the property line enough for some white pines that have died and those are the ones

that we're telling them either he has to replant.

MR. LANDER: They were planted at one time?

MR. BABCOCK: Yes, they were.

MR. LANDER: I don't know what it is.

MR. EDSALL: Whatever it was.

MR. LANDER: It's indescribable.

MR. EDSALL: Whatever it was, it's significantly deceased so I don't know that I can identify them.

MR. BABCOCK: They were pine trees at one time.

MR. EDSALL: The area is very much overgrown so there's quite a bit there.

MR. BABCOCK: We suggested we don't have the discretion to change the site plan in that as far as landscaping so that he go ahead and bond it so he can get the C.O. Judge has ordered him to have the C.O. by two weeks and then he can come back to this board.

MR. DUBALDI: Mike, when, by when?

MR. EDSALL: I think it's April 4.

MR. BABCOCK: Couple weeks which he will have, he's going to bond it and he can take it up with you gentlemen.

MR. STENT: Do they bond for a hundred percent?

MR. EDSALL: They bond for estimated amount, it's not a percentage.

MR. LANDER: We should all take a look at the overgrown fence line and just so next meeting when he comes here we can if we want to give him relief which I think we can.

MR. BABCOCK: I would suggest that.

March 22, 1995

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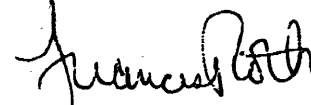
MR. EDSALL: I thank it would be reasonable to consider it.

MR. PETRO: Okay, gentlemen, any other subjects?

MR. DUBALDI: Motion to adjourn.

MR. STENT: Second it.

Respectfully Submitted By:



Frances Roth  
Stenographer

3/27/95



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

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New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

24 March 1995

Mr. George Ross  
140 Highland Avenue  
Middletown, New York 10940

**SUBJECT: SITE PLAN - ROUTE 32**  
**NEW WINDSOR PLANNING BOARD 88-59**

Dear Mr. Ross:

This letter is written pursuant to our meeting on the afternoon of 22 March 1995 at your property on Route 32 within the Town of New Windsor. At that time, Building Inspector Michael Babcock and I explained to you and your Attorney, Mr. Axelrod, the Town's code with respect to posting a Performance guarantee for non-completed site improvements at the time your Certificate of Occupancy is requested.

In line with the above, I have reviewed the non-completed work and have established a performance guarantee amount of \$2,938 for your project. This amount is based on the following:

	<u>Item</u>	<u>Quantity</u>	<u>Amount</u>
1.	Striping	36 spaces @ \$8	\$288.00
2.	Handicapped striping	3 spaces @ \$50	\$150.00
3.	Catch basin reconstruction	Lump Sum	\$1,000.00
4.	White Fur plantings	30 @ \$50	<u>\$1,500.00</u>

Total estimate: \$2,938.00

A check in the amount noted above should be written to the Town of New Windsor for the performance guarantee. This amount will be deposited in a trust account and the amount will be returned to you once the work is completed. It is understood that you may seek relief from the Planning Board relative to certain items in the estimate; however, until the Planning Board considers your request, no modification would appear possible.

Mr. George Ross

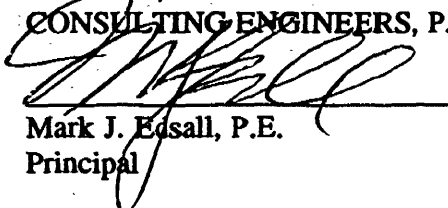
-2-

24 March 1995

If you have any questions concerning the above, please do not hesitate to contact the undersigned or Building Inspector Michael Babcock.

Very truly yours,

McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS, P.C.



Mark J. Edsall, P.E.  
Principal

MJEsh

cc: James Petro, Chairman; Chairman  
Michael Babcock; Town Building Inspector  
Alan Axelrod, Esq.

a:ross2.sh

ROSS, GEORGE SITE PLAN - WINDSOR HIGHWAY

Paul Cuomo and George Ross appeared before the board for this discussion.

MR. PETRO: We had a couple members asking about some questions, I'm going to turn this over to the Vice Chairman. You want to go with that, Ron?

MR. LANDER: George, we have a couple things there that were agreed to be done the last time you were here, the lighting in the parking lot, there's two lights on the plan, two lights, two poles and two lights were put in, only one operates. The handicapped signs they are not legal, they are only two foot off the ground. They have to be a certain height 40 inches, Mike, handicapped signs, how high does it have to be?

MR. BABCOCK: Seven foot.

MR. LANDER: So you can look over top of a car and see that it is for a handicapped person.

MR. PETRO: You should be making notes because we'll have it in the minutes but you have to know exactly what he is saying.

MR. LANDER: The light worked originally and then it stopped working for one reason or another, whether it's broke or was turned off or what, I don't know. Is all the landscaping done?

MR. ROSS: With the exception between us and I come to see you on it.

MR. LANDER: Well, George, again I said anything from Lee Myles back you don't need anything cause I already have them there ebut behind the Mexican restaurant, there's a space in between there that plantings would still have to be done, I said beyond Lee Myles, forget it because I had evergreens in there, we put them there ourselves.

MR. ROSS: Okay.

MR. LANDER: Also, is there any problem with the Lee Myles building Mike now?

MR. BABCOCK: Well, we're working on it right now to do some repairs. He's got a contractor in there.

MR. LANDER: Contractor's working on the building, Barry's Automotive is not in there operating.

MR. BABCOCK: I haven't been there myself. I know that we have been doing inspections there, my assistant is, that building is being occupied.

MR. LANDER: He's not working on vehicles?

MR. ROSS: He may have worked on a couple of his own cars putting the lifts and things, things like that.

MR. LANDER: Building to my knowledge wasn't safe because something had shifted.

MR. BABCOCK: We got that straightened out, we poured some new footings and we're working on it.

MR. LANDER: There was a dangerous situation there.

MR. ROSS: Safety factor has been addressed and fixed, it was done by Mighty-Built.

MR. CUOMO: Joe Pelligrino.

MR. LANDER: And what was--

MR. PETRO: George, there was contaminated soil on the property at one time, was that all taken care of?

MR. ROSS: That was removed by Ira Conklin.

MR. PETRO: Tank, there was some tanks or spills also.

MR. ROSS: Tanks were taken out years ago and then the soil was tested and removed.

MR. LANDER: George, I am not doubting your word but you have receipts for all that, right?

MR. ROSS: Yes.

MR. LANDER: Because there was some drums there.

MR. ROSS: I showed that to Tom Mc Donald, they were picked up from the back of the property by Ira Conklin.

MR. LANDER: Okay.

MR. PETRO: That house on the front of the property also you had when the site plan originally came in you made that?

MR. CUOMO: Home at the time and I know it's a residence and we have kept it that way at this time. Is it still a residence?

MR. ROSS: It's being used as a residence, zoned commercial, existing single family house.

MR. PETRO: Okay.

MR. ROSS: I got this letter here. Can I address some of the things on it?

MR. PETRO: Sure.

MR. CUOMO: Tell them what it is, it's a letter from the engineer.

MR. ROSS: No, no, that is something else. This is, I've had some problems with this and I discussed it with Mike and maybe I was remiss in how I have rented to people. I had problems with tenants and I think I have been upgrading the quality of my tenants there and I've left it that when I rented it in the lease that they would take care of certain things to meet the specifications of their business and it wasn't done for one reason or another. Now, it's, you know, I was told it's getting done, it wasn't. One of the things that I had that guy, 20th Century Towing and by the nature of his business, he would need an area fenced in and I was looking through bills of mine and I see where I paid bills and it said here on the letter for Patrick Torpy,



when I had no knowledge what the letter was. So I got a copy of the letter from the Planning Board and it just was written to Mr. Torpy without any copies going to me and it was just that, you know, he can go ahead with whatever he planned on doing there and such. Since, you know, I paid that bill, I found out about it after but what has happened since that point he wanted to almost as soon as he got in, he wanted to break the lease, so to speak, and I think what I went through some of the efforts in fixing it up and some of representations he made I guess I'm responsible for my tenants. Since that point in time, I think I've upgraded it, it's Hertz Penski now is renting it and he no longer has a need for a fence because he's not going storing abandoned or junk cars or anything like that. And we want just more of an open affect over there so in other words, the fence came in here as an afterthought that was being done just for Mr. Torpy and much of what Torpy wanted was things that he was coming to the board but unbeknownst to me and requesting things, letters going out.

MR. PETRO: Long and short of it, you want to remove the fence. So show me which one.

MR. ROSS: Fence along the back.

MR. LANDER: That is a wooden fence, isn't it?

MR. ROSS: Yes, because he had a problem with a neighbor here.

MR. LANDER: Is there trees there right now?

MR. ROSS: Trees were planted because that was supposed to be with the fence and he never did anything with the fence and he was breaking the lease.

MR. PETRO: Why does he want to remove a wooden fence along the rear of the property line other than just now the next door neighbor--

MR. ROSS: There's no fence, it was never put in.

MR. LANDER: Well, on the rear, Mr. Chairman, there's

quite a distance between that and the bungalow in the back now I think you're talking about Mr. Chalef's house, would be the closest residence to that now, I believe there's a wooden fence goes all the way back, right George?

MR. ROSS: Now--

MR. LANDER: How far does the fence go?

MR. ROSS: There isn't a fence. This was being put in because he had a particular problem with this neighbor.

MR. PETRO: You just said you want to remove a fence.

MR. ROSS: I meant from the plan.

MR. CUOMO: He wants to change the plan.

MR. PETRO: You don't want to put the fence in?

MR. ROSS: Exactly.

MR. DUBALDI: There's no fence back there at all right now?

MR. ROSS: No, not along the property line here. This is just all brush and trees and things like that.

MR. LANDER: We're going to have to have some type of screening for Mr. Chalef's house, even if it only went back.

MR. ROSS: His house can't be seen.

MR. PETRO: Does he have an outstanding bond?

MR. BABCOCK: No.

MR. PETRO: It's just never been done.

MR. BABCOCK: That is correct.

MR. LANDER: There's a bungalow back there and Mr. Chalef's house.

MR. ROSS: There's an apple orchard between this house and Chalef's house and then he has, there's some sort of building here, a beauty salon.

MR. LANDER: His garage and office is behind his house.

MR. ROSS: But they can't be seen to the side. The fence was being done just for his safety factor. Now what I found as I was at the property one night and I felt unsafe because there was vandalism always going on behind the fence, people, I much prefer it in the open. He just has an open space and it looks better than boxing this in like Fort Knox.

MR. LANDER: I'm going to have to take a look at that because I think you're going to need that screening on that side. I think it would be more of a nuisance to Chalef and I don't think you need an angry neighbor being so close.

MR. PETRO: I agree with Mr. Lander.

MR. ROSS: You have to look at it.

MR. ROSS: They had a personal thing between them.

MR. PETRO: George, if you have a natural barrier there, Ron is saying we can take a look at it, natural barrier like an apple orchard I can see not putting something but if it's wide open and the property line is as close to that building as it looks which is his repair shop, I can see that phone ringing like crazy. You're going to have a lot of problems. And I think you need some natural barrier. You have a business there right now, yes, the man is only parking trucks but we have given that place, right now you can rent that out to somebody else in a month or two months or six months from now and they can do another business that would really be hindering that man's privacy without any barricaded.

MR. ROSS: By the same token that wasn't there.

MR. LANDER: But yes, now he was at the public hearing

when this thing was presented, if memory serves me right, ask for screening along that side so he wouldn't be bothered by the headlights of the cars coming in and out.

MR. ROSS: No, the fence was specifically added and I went to Paul's office and Torpey went and wanted to protect his vehicles so people wouldn't be coming and taking them.

MR. PETRO: I agree, I think it was for screening for Mr. Chalef also and I think it's a good idea there what kind of a fence does it say, probably 6 foot stockade.

MR. ROSS: Proposed 6 foot high stockade fence but I think I'm creating an area that is just a hazard for vandalism.

MR. PETRO: I just can't agree with it.

MR. ROSS: If you look at it, you'll see screening and houses can't be seen.

MR. LANDER: We'll take a look.

MR. CUOMO: It's business versus business, technically you don't need a fence.

MR. LANDER: I know that but he still lives there.

MR. SCHIEFER: The best idea is go take a look.

MR. ROSS: I don't have any problem.

MR. PETRO: Is that a special use permit that we gave for that?

MR. BABCOCK: That is correct.

MR. PETRO: Reviewed once a year or any time the board should happen to want to review it.

MR. BABCOCK: That is correct. There's no time set on it.

MR. ROSS: I don't know how to really handle it but we had discussed it when a tenant comes in and he has, all right, you rent it, you want to make alterations to fit your needs then he does things which change it as far as my meeting building codes and this and that, they've had diesel tanks.

MR. PETRO: We agree that the tenant who was there is not there, maybe he did need a fence and I believe the rest of the members believe that the property warrants the fence, not Mr. Torpy.

MR. ROSS: It adds an economic hardship for me.

MR. EDSALL: Just a comment, Mr. Ross, you signed the application for that applicant, correct?

MR. ROSS: Yes.

MR. EDSALL: You did authorize him to come in and speak for you so what we have is hearsay cause you have to be more careful with what authority you grant to someone to represent your site. You'll have to attend every meeting.

MR. ROSS: I didn't sign for him to make any presentation.

MR. EDSALL: You did not authorize him on the application?

MR. ROSS: No, it was my name on the application. He was here now as far as him coming to you and requesting letters, I never got copies.

MR. EDSALL: Relative to the site plan, I'm saying that you were not aware of those requirements?

MR. ROSS: Of what, the fence? Well, part of my deal was--

MR. EDSALL: What letter are you referring to? Can I see that? Kind of mysterious the way you're presenting it.

MR. PETRO: George, I think as far as the Planning Board is concerned, you're really the applicant and whether or not the tenant was--

MR. EDSALL: This letter has nothing to do with modification of any comment on the site plan approval. This is a letter confirming that the Planning Board approved that operation which is required by the state relative to the motor vehicle law. This letter means nothing, it does not alter or approve, the letter was issued at the request of the State of New York.

MR. ROSS: Or Mr. Torpy, it says here.

MR. EDSALL: The letter is written to him pursuant to requirement that if you have a motor vehicle repair station in the State of New York, it requires zoning approval, there has to be a letter issued acknowledging that approval so you can get your license so it doesn't mean anything as far as your site plan approval.

MR. ROSS: Pursuant to your request.

MR. EDSALL: He asked us, send us a letter.

MR. ROSS: He should be billed rather than putting it on my bill, that is all I'm saying. Why am I paying bills for other people?

MR. PETRO: Mr. Ross, again, I believe that you, this is your application and whether or not you had an agreement with the tenant to fulfill some of the--

MR. ROSS: What I am requesting is that, and you're going go look at it any way to see about the screening of the fence, he wanted the fence so that it would be for protection, it wasn't for screening because there's plenty of screening but you're certainly welcome to look at it and I think you'll see that it is sufficient. There's large trees there.

MR. BABCOCK: I think the board has said they'll look at it. You can let me know and I'll let Mr. Ross know whether he has to keep the fence.

MR. PETRO: I want to clarify the point whether or not Mr. Torpy said he was going to do it or not do it. It has no bearing on the New Windsor Planning Board. It's your application.

MR. ROSS: I understand that now it's a mistake I have been making with tenants.

MR. BABCOCK: We had a discussion yesterday and I told him I think some of the problems on the project have been that we don't get involved with him or his tenant as far as whose responsibility it is to accomplish the certain things on the site plan. So we're going to Mr. Ross telling him we want it done and if he's saying to me it's his tenant's problem, I don't want to hear that.

MR. PETRO: I want to clarify that one step further. We do know whose obligation it is, the applicants, and I don't care if you have UPS in there or whoever the tenant may be, it's your obligation to fulfill the requirements of the site plan or have it bonded and obviously you do not have a bond, at this point, you're in violation of the site plan and the fence should be put up. To try and go along with you as the applicant I think Mr. Lander knows, other board members will take a look at it and if it's sufficiently screened again we can have another meeting and we'll discuss it further.

MR. EDSALL: When you go out on the site visit, you should take the list of all the other items that aren't completed either.

MR. ROSS: Can I address the road?

MR. EDSALL: I don't know if you want to go over those. You may want to review those at the next meeting.

MR. PETRO: Give me another example.

MR. ROSS: Here's an example, it was noted that three non-registered cars advertised for sale were on the property. Those cars are no longer on the property.

MR. PETRO: That is building department. What other

Planning Board?

MR. ROSS: It's on this letter that I got.

MR. PETRO: It has nothing to do with the Planning Board.

MR. ROSS: Landscaping in front of project along the state highway, appears to have been installed although it's overgrown and not maintained. You'll see that the place is looking good, just done considerably more blacktopping over some shaded area giving parking in excess of what was needed.

MR. DUBALDI: Are you saying that the landscaping plan is complete as per the plan?

MR. ROSS: Yes, with the exception of the trees on the side of--

MR. DUBALDI: With the exception of the five trees by Mr. Lander's side, you're saying if I take that site plan and go down there, I'll find every single tree that is on there?

MR. ROSS: Yes.

MR. LANDER: Wait, better think about it because there's no planting by Mr. Chalef's.

MR. ROSS: These trees were put in, I think they are there but they are dead now, they were put in, you can see trees. There was some sort of war going on.

MR. LANDER: I know there was.

MR. ROSS: And I think this Chalef has been terribly unreasonable.

MR. DUBALDI: All the shrubs in front are in place?

MR. ROSS: Yes.

MR. PETRO: What other major items?



MR. ROSS: Handicapped signs, pavement markings for the parking. Paul explained to me there is a company that will come in and put whatever the blue or whatever it is for handicapped things that wasn't done correctly. Again the pavement cones at the front of the site appears poor and broken up, that has been repaired. The catch basin graded to main parking area has not been reset or repaired which was done along with the blacktopping. I just had that all done two weeks ago. Just the 6 foot fence in the back and just address that at the time of our visit. The dumpster enclosure, front gates had been removed, they are on. And dumpster was turned over and up against the restaurant. I just painted the building, cleaned up everything. I think it's looking a hundred percent improved from last year and each year there's been a lot of improvements, I know the money I have been putting in myself.

MR. PETRO: So, you have Mr. Lander's comments, you can address those. Also in the meantime, we'll take a look at the screening that is already there. If the trees are dead, obviously we're not going to be able to count that as screening. You're telling us that the line of trees were there but now they are dead.

MR. ROSS: Those trees came along with the fence because at the time, I remember the comment coming up that well, they didn't want the back of a fence coming so put trees and fence to make the fence more palatable.

MR. PETRO: Let's take a look at the screening.

MR. ROSS: I've spent money on trees and whatever went on with those two characters, I'm caught in the middle. I think he was in to you, Mike, every week with some complaint and he wanted to almost run me over when I came. I don't know from anything. All I know is I'm here 20 years, I have been paying my taxes, doing what I have been to what I have to do.

MR. PETRO: It's a complicated site, you have a lot on the site and I realize that it's there, you haven't really built it, it's the tight fit, so much on there.

MR. ROSS: I know, that is why we added some parking spots.

MR. PETRO: We're trying to correct the problem. It's improved but there's still a little ways to go. We'll take a look at it.

MR. ROSS: I went through a financial hardship last year but I bit the bullet by telling Bruce that his lease was up, Lee Myles, he wouldn't cooperate in terms of trailers out there and junk that was stored and I'll not allow that anymore and it's off and I didn't receive rents but I've just upgraded.

MR. PETRO: What do you have going with the little Mexican restaurant? What's going in there?

MR. ROSS: The fellow who owns El Amigo, he owns the Mexican restaurant but he's changed the name of it.

MR. PETRO: Going to reopen as a restaurant?

MR. ROSS: Yes, I just got involved because his taste wasn't particularly great. I painted it and made it look a heck of a lot better, did some paving and just brought it up to the next level and Lee Myles building which was always a contention because the guy wasn't too neat. Somebody who's very, looks organized and clean from what I hear about him.

MR. SCHIEFER: Barry.

MR. ROSS: Runs a clean, quality operation, certainly cleaner than a transmission shop.

MR. PETRO: Okay, that is fine.

MR. ROSS: Thank you, sir.

DISCUSSION

ROSS, GEORGE

MR. PETRO: As you remember, Mr. George Ross was in about two months ago, I believe, and he had discussed about putting up some screening and other site plan features that weren't completed and we discussed what we should do about it and we listened to his arguments and I think we had all pretty much decided, correct me if I am wrong, that he should comply with the site plan as it was so presented.

MR. VAN LEEUWEN: Absolutely.

MR. PETRO: So being that I had instructed Myra on January 3 to send him a letter for site plan compliance and obviously the letter went out, I have a copy of it here which says that the Planning Board discussed some of your concerns with the site plan approval for the above location, the board would like the site plan complied with as it was approved. If you have any questions, contact this office. So anyone have anything to add to that? It's pretty self-explanatory.

MR. VAN LEEUWEN: The whole discussion is right here in amongst the papers.

MR. PETRO: And we have a copy of the minutes. He basically wanted to do away with the fence on the back of the property because he said he has sufficient screening and obviously Ron, who's right there and I took a look at it and there really isn't any screening.

MR. VAN LEEUWEN: Just overgrown with brush.

MR. PETRO: Mr. Chalef lives right next door.

MR. VAN LEEUWEN: He bought that site plan in to us for approval and he should abide by his own site plan that he drew.

MR. PETRO: That is what he discussed and that is what we sent him a letter to do.

MR. DUBALDI: What business is currently operating there?

MR. PETRO: What's in there?

MR. BABCOCK: Nobody's in there at this time. 20th Century Towing did a lot of the work and then when they left, they sent in Hertz Rent-a-Car.

MR. VAN LEEUWEN: That is Orange.

MR. BABCOCK: They are gone now.

MR. DUBALDI: Hertz isn't there now?

MR. BABCOCK: No.

MR. DUBALDI: Nobody's in the restaurant?

MR. BABCOCK: They are moving in. We went to do an inspection today. I instructed the guys not to hold up the C.O. for the restaurant for these problems. I understood George Ross when he came to me to talk about the fence and the reason he came to the Planning Board because I sent him there but he thought the fence was required by this board because it was a towing company. And that if that was the case since it's no longer being used as a towing company, he wouldn't have to put up a fence. So I don't know, I think what I said that tonight he will do whatever the board said.

MR. PETRO: What we're saying we didn't require it because of that particular tenant, it's any tenant.

MR. BABCOCK: Right.



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

<sup>1763</sup>  
January 3, 1994

Mr. George Ross  
140 Highland Avenue  
Middletown, NY 10940

SUBJECT: SITE PLAN COMPLIANCE - RT. 32, NEW WINDSOR

Dear Mr. Ross:

At the regular meeting of December 14, 1994, the Planning Board discussed some of your concerns with your site plan approval for above location.

As can be seen in the attached copy of the minutes from that meeting, the Board would like the Site Plan complied with as it was approved.

If you should have any questions in this matter, please contact our office.

Very truly yours,

*Myra Mason*  
Myra Mason, Secretary to the  
New Windsor Planning Board

MLM

cc: Mark Edsall, P.E. - P.B. Engineer  
Andrew Krieger, P.B. Attorney  
File #88-59  
John McDonald, Fire Inspector  
Planning Board Members

ROSS, GEORGE

MR. PETRO: Any other outstanding items? Mark, do you have anything else tonight?

MR. EDSALL: No.

MR. PETRO: We were supposed to go down and look at Ross's property. Henry, it was one outstanding question that we had and that was we had required him to have a fence between Chalef.

MR. PETRO: And he claimed that, 20th Century moved out and the fence would be for him, he no longer wanted to put up the stockade fence and that there was sufficient screening by natural brush there.

MR. LANDER: Yeah, right.

MR. PETRO: So--

MR. LANDER: There's not sufficient screening, number one, and he's trying to say that most of that screening would be back by Mr. Chalef's garage but it's not, they are fairly close, I mean that fence is right by, there's a back door.

MR. PETRO: There's an overgrowth back there, I don't know whether there's screening or not. So I don't know. Right now, you can't tell because you see through it, I don't know.

MR. VAN LEEUWEN: Can I say something? If that is part of the site plan, he's got to go along with it.

MR. PETRO: He didn't argue that point. He did say that if we absolutely insisted, I don't know if he is going to do it, but he said would we please look at it again and come up with a determination.

MR. LANDER: We voted that fence in, the fence goes in.

MR. VAN LEEUWEN: That is right.

MR. LANDER: No matter if it's 20th Century Towing that

is there or Joe Smo. But one other thing before we get off Mr. Ross, do you remember there was two lights in that parking lot, one for that end of the parking lot, one for the Mexican Restaurant? Well, Central Hudson was there the other night and they made one light like the other one. Now they are both off. They shut it off. Now there's no lights.

MR. PETRO: Those lights generate separate bills and probably nobody paid it.

MR. LANDER: I want the lights back on. They've got to be on for the safety of the people.

MR. PETRO: We have to send Mr. Ross a letter stating that the New Windsor Planning Board made a determination that the site plan must be kept up and enforced as approved.

MR. LANDER: Let me throw this out to the board too. Mr. Ross, he wanted to know about in lieu of the landscaping between Lee Myles and Mexican Restaurant whether or not he can put a fence up in lieu of the landscaping that is supposed to be there now.

MR. VAN LEEUWEN: What's on the site plan?

MR. LANDER: Landscaping.

MR. VAN LEEUWEN: Okay.

MR. LANDER: Done.

MR. VAN LEEUWEN: Back to my same point.

MR. PETRO: And in particular, the fence area the fencing, the lighting and the landscaping.

MR. LANDER: I can say this to Mr. Ross' benefit, he did increase the size of the signs for the handicapped parking. They are over 2 feet. That is his benefit. He did do something.

MR. PETRO: Motion to adjourn?

ROSS, GEORGE

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MR. PETRO: Motion to adjourn?

December 14, 1994

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MR. VAN LEEUWEN: So moved.

MR. DUBALDI: Second it.

ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE

RESPECTFULLY SUBMITTED BY:

  
Frances Roth  
Stenographer



**McGOEY, HAUSER and EDSALL**  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Millford, Pennsylvania 18337  
(717) 296-2765

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B #       

WORK SESSION DATE: 3 AUG 94

APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: No

Presub Conf  
First

PROJECT NAME: Ross S/P Amendment

PROJECT STATUS: NEW        OLD       

REPRESENTATIVE PRESENT: George Ross; Rob (works for George); Rick

MUNIC REPS PRESENT: BLDG INSP. VAC  
FIRE INSP. Bob  
ENGINEER X  
PLANNER         
P/B CHMN.         
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

1. Wants to add add'l bay to Small Leo Myles  
need 4 add'l spaces, lookr like they  
already have r/p plan

2. Wants to change 20<sup>th</sup> Century Towing to Hertz Rental Truck.

• They should check to see if parking spaces are actually  
is shown on plan

• Q - was front left approved as restaurant?

• He will try to get MDE list taken care of before P/B mtg.

→ Suggest Presub Conf. • Next Avail Agenda

4MJ91 pbwsform

GEORGE ROSS 6-92  
"ROSS PROPERTIES"  
140 HIGHLAND AVE.  
MIDDLETOWN, NY 10940

460

3/27 1995 50-247/219

PAY TO THE  
ORDER OF

*Town of New Windsor*  
*Twenty Nine Hundred Thirty Eight and 1/10*

\$2938 <sup>1</sup>/<sub>10</sub>

DOLLARS

Club 50 Plus II

325 Rt. 211 East  
212 Dolson Ave.

Orange County  
**TRUST**  
Company

75 North Street  
Middletown, N.Y.  
10940

MEMO ON

021902475 7546114 0460

GRAYSTONE

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/02/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 88-59

NAME: GEORGE ROSS SITE PLAN

APPLICANT: ROSS, GEORGE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/30/93	PLANS STAMPED	APPROVED
06/23/93	P.B. APPEARANCE . SEE RESULTS OF MEETING SHEET IN FILE FOR DETAILS	NEG. DEC:APPR. COND
06/16/93	WORK SESSION APPEARANCE	SUB. NEW PLANS
06/02/93	WORK SESSION APPEARANCE	REVISE & RET. TO WS
05/26/93	P.B. APPEARANCE	REVISE - RET TO WS
05/05/93	WORK SESSION APPEARANCE	SUB. NEW PLANS
12/09/92	P.B. APPEARANCE . BOARD DISCUSSION: PUT	CANCELLED BY APPLIC. ON NEXT AGENDA
09/25/91	P.B. APPEARANCE	TO RETURN
09/11/91	P.B. APPEAR: PUBLIC HEARING	REVISE & RETURN
08/06/91	WORK SESSION APPEARANCE	SET P.H. FOR 9/11/91
06/26/91	P.B. APPEARANCE	RETURN TO W.S.
06/26/91	P.B. APPEARANCE	AFTER W.S.NEED P.H..
06/18/91	WORK SESSION APPEARANCE	SUBMIT NEW PLANS
01/16/91	P.B. APPEARANCE	WAIVE P.H. - RETURN
10/03/90	P.B. APPEARANCE	L.A./SITE VISIT

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/30/93

PAGE: 3

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
O [Disap, Appr]

FOR PROJECT NUMBER: 88-59

NAME: GEORGE ROSS SITE PLAN

APPLICANT: ROSS, GEORGE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
REV7 06/18/93	PLANNING BOARD ENGINEER	/ /
REV 07/14/93	P.B. ENGINEER	/ /

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/30/93

PAGE: 2

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
O [Disap, Appr]

FOR PROJECT NUMBER: 88-59

NAME: GEORGE ROSS SITE PLAN

APPLICANT: ROSS, GEORGE

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
REV4	08/12/91 MUNICIPAL SEWER	09/13/91 SUPERSEDED BY REV5
REV4	08/12/91 MUNICIPAL SANITARY . SHALL REQUIRE PROPER GREASE TRAP - SD. 11-A	08/12/91 APPROVED
REV4	08/12/91 MUNICIPAL FIRE	08/13/91 APPROVED
REV4	08/12/91 PLANNING BOARD ENGINEER	09/13/91 SUPERSEDED BY REV5
REV5	09/13/91 MUNICIPAL HIGHWAY	05/19/93 SUPERSEDED BY REV6
REV5	09/13/91 MUNICIPAL WATER	09/13/91 APPROVED
REV5	09/13/91 MUNICIPAL SEWER	05/19/93 SUPERSEDED BY REV6
REV5	09/13/91 MUNICIPAL SANITARY	09/16/91 APPROVED
REV5	09/13/91 MUNICIPAL FIRE	09/13/91 APPROVED
REV5	09/13/91 PLANNING BOARD ENGINEER	05/19/93 SUPERSEDED BY REV6
REV6	05/19/93 MUNICIPAL HIGHWAY	06/04/93 APPROVED
REV6	05/19/93 MUNICIPAL WATER	06/04/93 APPROVED
REV6	05/19/93 MUNICIPAL SEWER	06/18/93 SUPERSEDED BY REV7
REV6	05/19/93 MUNICIPAL SANITARY	06/18/93 SUPERSEDED BY REV7
REV6	05/19/93 MUNICIPAL FIRE	05/19/93 APPROVED
REV6	05/19/93 PLANNING BOARD ENGINEER	06/18/93 SUPERSEDED BY REV7
REV7	06/18/93 MUNICIPAL HIGHWAY	/ /
REV7	06/18/93 MUNICIPAL WATER	/ /
REV7	06/18/93 MUNICIPAL SEWER	06/22/93 APPROVED
REV7	06/18/93 MUNICIPAL SANITARY	/ /
REV7	06/18/93 MUNICIPAL FIRE	06/21/93 APPROVED

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/30/93

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 88-59

NAME: GEORGE ROSS SITE PLAN

APPLICANT: ROSS, GEORGE

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV1	09/19/90	MUNICIPAL HIGHWAY	01/10/91	SUPERSEDED BY REV2
REV1	09/19/90	MUNICIPAL WATER	09/20/90	APPROVED
REV1	09/19/90	MUNICIPAL SEWER	01/10/91	SUPERSEDED BY REV2
REV1	09/19/90	MUNICIPAL SANITARY	09/19/90	APPROVED
REV1	09/19/90	MUNICIPAL FIRE	10/15/90	APPROVED
REV1	09/19/90	PLANNING BOARD ENGINEER	01/10/91	SUPERSEDED BY REV2
REV1	10/05/90	O.C. PLANNING DEPT.	11/19/90	LOCAL DETERMINATION
REV2	01/10/91	MUNICIPAL HIGHWAY	06/20/91	SUPERSEDED BY REV3
REV2	01/10/91	MUNICIPAL WATER	01/10/91	APPROVED
REV2	01/10/91	MUNICIPAL SEWER	06/20/91	SUPERSEDED BY REV3
REV2	01/10/91	MUNICIPAL SANITARY	10/10/91	APPROVED
REV2	01/10/91	MUNICIPAL FIRE	01/14/91	APPROVED
REV2	01/10/91	PLANNING BOARD ENGINEER	06/20/91	SUPERSEDED BY REV3
REV3	06/20/91	MUNICIPAL HIGHWAY	08/12/91	SUPERSEDED BY REV4
REV3	06/20/91	MUNICIPAL WATER	06/21/91	approved
REV3	06/20/91	MUNICIPAL SEWER . NO GREASE TRAP DETAIL FOR PROPOSED RESTAURANT	06/26/91	DISAPPROVED
REV3	06/20/91	MUNICIPAL SANITARY . RESTAURANT WILL REQUIRE A GREASE TRAP.	06/21/91	APPROVED
REV3	06/20/91	MUNICIPAL FIRE	06/26/91	APPROVED
REV3	06/20/91	PLANNING BOARD ENGINEER	08/12/91	SUPERSEDED BY REV4
REV4	08/12/91	MUNICIPAL HIGHWAY	09/13/91	SUPERSEDED BY REV5
REV4	08/12/91	MUNICIPAL WATER	08/12/91	APPROVED





**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**1 July 1994**

**MEMORANDUM FOR RECORD**

**SUBJECT: GEORGE ROSS SITE PLAN**  
**NEW WINDSOR PLANNING BOARD NO. 88-59**  
**FIELD REVIEW 29 JUNE 1994**

Pursuant to the request of the Planning Board, on the afternoon of 29 June 1994 a field review was made of the subject project site, to determine the general compliance status of same with regard to the site plan stamped approved by the Planning Board on 30 November 1993. Present at this field review were the undersigned and Town Building Inspector Michael Babcock. The following items were observed:

1. It was noted the three non-registered cars advertised "for sale" were on the property. It is our understanding that no such used car sales are currently approved for this site.
2. The landscaping in front of the project site along the State Highway appears to have been installed, although it is overgrown and non-maintained.
3. A portable sign has been set at the front of the site near the vacant restaurant, possibly within the State right-of-way. This sign was not approved on the plan.
4. Pavement markings for the parking appear incomplete and in many cases do not match the approved Site Plan.
5. Improper handicapped signs have been utilized at the area adjoining the vacant restaurant.
6. The pavement delineation for the handicapped signs, adjacent to the vacant restaurant, does not comply with State and ANSI requirements.
7. In general, the pavement condition at the front of the site appears poor and broken-up.

1 July 1994

8. At the time of our visit, the refuse dumpster for the vacant restaurant was flipped over and against the restaurant building.
9. At the time of our visit, the dumpster enclosure structure was incomplete and it appeared that the front gates had been removed.
10. The white fur plantings shown on the plan behind the dumpster enclosure have not been installed. As well, the "grass area" shown around the dumpster enclosure and behind the restaurant building is not such an area, it is an overgrown brush and weed area with debris disposed of in this location.
11. The 6' fence and white furs along the rear areas of the towing location (20th Century Toeing) have not been installed.
12. The handicapped sign for the parking space of the towing occupancy has not been installed.
13. The blue cross-hatching for the handicapped space at the towing location must be corrected to comply with required layout.
14. The catch basin grate at the main parking area has not been reset and repaired as called for on the approved plan.
15. Currently, the sidewall of this catch basin is in failure.

Respectfully submitted,



Mark J. Edsall, P.E.  
Planning Board Engineer

MJesh

a:mfrross.sh

cc: John McDonald 7/22/94 (m)

George S. Chaleff  
266 Windsor Highway  
New Windsor, N.Y. 12553  
June 7, 1994

New Windsor Planning Board  
555 Union Ave.  
New Windsor, N.Y. 12553

Re: 20th Century Towing and Recovery, 270 Windsor Hwy.  
New Windsor, N.Y.

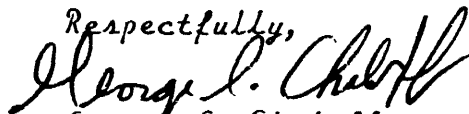
Dear Sirs:

I would hereby like to lodge my second formal complaint against 20th Century Towing and Recovery. In June 1993, they were granted a special permit for business operation. The conditions of which, limited their operations to towing, recovery, and cosmetic vehicle detailing during the hours of Mon. through Saturday 8:00am-8:00pm.

Over the past year, I have been witness to continuous violations of the above restrictions. Not only are towing and recovery operations being conducted outside of the restricted hours, but an active Auto Repair Shop and Inspection station are also being operated.

Following my first complaint in August of 1993, I was informed that a warning had been issued. Apparently, there has been no attempt by 20th Century Towing to comply with the restrictions which you have placed upon them. Because of their continued defiance of your ruling, we find ourselves deprived of uninterrupted rest and enjoyment of our home.

I would appreciate your attention to, and remedy of, this unfortunate situation. Enclosed please find a list of violations which I have witnessed. Additionally, I have enclosed copies of 20th Century's current Yellow Page advertising, citing 24 hour service and Auto Repair.

Respectfully,  
  
George S. Chaleff

Since 20th Century Towing began operation of it's business at 270 Windsor Highway, New Windsor, N.Y., the following violations of special permit issued, have been noted:

Sun. July 18th 1993: 10pm-towing in vehicle  
Sat. July 24th 1993: 9:15pm-towing in vehicle  
Sun. July 25th 1993: 11am to 5:40pm-towing and moving vehicles  
Tues July 27th 1993: 11:30pm towing in vehicle  
Wed. July 28th 1993: 9:10pm-towing in vehicle  
Thurs. July 29th 1993: 11pm-towing in vehicle  
Sun. Aug. 1st 1993: 10:45am-towing in vehicle  
Sun Aug. 1st 1993: 7:20 pm-towing in vehicle  
Sun. Sept 12th 1993: AM-repairing cars  
Sun. Sept. 19th 1993: open for business all day-repairing cars  
Tues. Sept. 21st 1993: 10pm-towed out van  
Sun. Sept. 26th 1993: Open for business all day-repairing cars  
Sun Nov. 14th 1993: Open all afternoon repairing cars  
Sun. Dec. 19th 1993: 7:45pm-towing in vehicle 9:10pm-towing in vehicle  
Mon. Dec. 20th 1993: 11:40pm-towing in vehicle  
Sun. Jan. 16th 1994: 7:45pm-towing in vehicle  
Thurs. Jan. 20th 1994: 6:30am-towing in vehicle  
Fri. Jan. 28th 1994: 10:15pm-towing in vehicle  
Sun. Jan. 30th 1994: conducting business, moving cars around  
Fri. Feb. 4th 1994: 10:15pm and 10:30pm-towed in two vehicles  
Sun. Feb. 6th 1994: 9am-5pm open for business  
Sun. Feb. 13th 1994: 10:30am-towing in vehicle  
Sun. Feb. 20th 1994: open all day, moving and revving loud cars  
Fri. March 11th 1994: 9:00pm-towing in vehicle  
Sun. March 13th 1994: open all day for repairs and towing  
Thurs. March 24th 1994: 9:30pm-towing in vehicle  
Sun. March 27th 1994: 7:30pm towing in vehicle

Tues. April 19th 1994: until 9:30pm-welding, working on and  
revving cars causing clouds of exhaust

Sun. May 1st 1994: 10am-3pm open for repair business

Sat. May 28th 1994: working on and revving motonboat, with no  
muffler, for  $1\frac{1}{2}$  hours

Sun. June 5th 1994: 8am-towing in vehicle

Attention: New Windsor Planning Co.

This letter is regarding the  
Auto Shop on Windsor Highway.

I reside at 266A Windsor Hwy.  
I am continuously bothered by loud noise  
Created by running engines, tow trucks,  
horn blowing, etc. at different inconvenient  
hours of both early mornings and late  
evenings. I would greatly appreciate any  
action that can be taken to curb this  
annoyance.

Thank you,

6-7-94 Susan K. Patrick

DATE: JUNE 8, 1994

TO: THE NEW WINDSOR PLANNING BOARD

FROM: FRANCIS A. LANDER  
278 WINDSOR HIGHWAY  
NEW WINDSOR, NY

RE: 20TH CENTURY TOWING  
270 WINDSOR HIGHWAY  
NEW WINDSOR, NY

I AM WRITING TO YOU AT THIS TIME BECAUSE OF THE NOISE AND TRAFFIC THAT IS BEING GENERATED BY A 24-HOUR TOWING OPERATION THAT HAS DEVELOPED OVER A PERIOD OF TIME AT 20TH CENTURY TOWING. AT FIRST THE NOISE WAS OCCASIONAL BUT IT HAS INCREASED TO A POINT WHERE I AM BEING AWAKENED BY THE TOW TRUCKS AT ALL HOURS OF THE NIGHT. IT IS MY UNDERSTANDING THAT THE HOURS OF OPERATION ARE LIMITED TO 12 HOURS A DAY, 8AM TO 8PM OR 7AM TO 7PM. I WOULD LIKE TO SEE THOSE HOURS OF OPERATION STRICTLY ADHERED TO.

THANK YOU FOR YOUR ATTENTION. I AWAIT YOUR RESPONSE.

  
FRANCIS A. LANDER

182 H. H. Land Ave.  
Walden, N. Y.  
Nov. 20, 1953.

Town of New Windsor Planning Board.

Gentlemen;

I have been in contact  
with Central Hudson, concerning a  
non working light on ~~two~~ one of  
the street lamps on my property  
at 268 Windsor Highway.

I am looking into having  
higher intensity bulbs if after  
the repairs more light is necessary.

Sincerely,  
Ray Fox



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/93

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 88-59

NAME: GEORGE ROSS SITE PLAN

APPLICANT: ROSS, GEORGE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
11/15/93	4% OF 8,453.00	CHG	338.12		
			-----	-----	-----
		TOTAL:	338.12	0.00	338.12

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/93

PAGE: 1

LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 88-59

NAME: GEORGE ROSS SITE PLAN

APPLICANT: ROSS, GEORGE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
11/15/93	P.B. APPROVAL FEE	CHG	150.00		
			-----	-----	-----
		TOTAL:	150.00	0.00	150.00

11/16/93:

Notified George Ross of fees due -  
I also asked him to respond to my letter of 10-28-93

CUOMO ENGINEERING  
STEWART INTERNATIONAL AIRPORT  
2005 D STREET, BUILDING NO. 704  
NEW WINDSOR, NEW YORK 12553

BOND ESTIMATE

COMMERCIAL PROPERTY

FOR

LANDS OF GEORGE ROSS

TOWN OF NEW WINDSOR

REVISED OCTOBER 12, 1993  
JULY 7, 1993

JOB NO.: 90228

N/w  
88-59

1. 295 LIN.FT. OF 6 FT. HIGH  
STOCKADE FENCE @ \$6.00/L.F.  
INCLUDING GATES

\$1,770.00

1770

2. BLACK TOP 4.500 SQ.FT. = 500 sq. yd.

\$3,900.00

5333,

3. LANDSCAPING

\$1,000.00

4. STRIPING

\$ 200.00

5. SIGNS

\$ 150.00

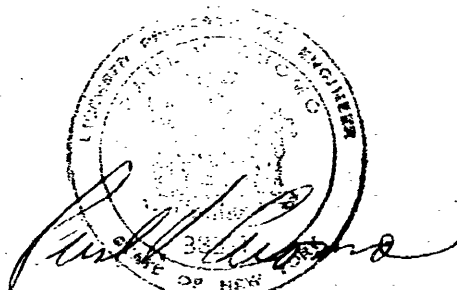
TOTAL AMOUNT OF BOND

\$7,020.00

\$ 453

6000  
9 = 666.5  
too low

\$ 338. fee



PAUL V. CUOMO, P.E.  
CONSULTING ENGINEER

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/93

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 88-59

NAME: GEORGE ROSS SITE PLAN

APPLICANT: ROSS, GEORGE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
/ /		CHG	0.00		
10/14/92	P.B. MINUTES	CHG	4.50		
12/09/92	P.B. MINUTES	CHG	13.50		
05/26/93	P.B. ATTY FEE	CHG	35.00		
05/26/93	P.B. MINUTES	CHG	76.50		
06/23/93	P.B. ATTY FEES	CHG	35.00		
06/23/93	P.B. MINUTES	CHG	54.00		
08/11/93	P.B. MINUTES	CHG	31.50		
10/13/93	P.B. MINUTES	CHG	18.00		
11/15/93	P.B. ENGINEER FEE	CHG	798.50		
	TOTAL:		1066.50	0.00	1066.50

AS OF: 07/10/93

PAGE: 1

## HISTORICAL CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 88- 59

TASK-NO	REC	--DATE--	TRAN	EXPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----		
										EXP.	BILLED	BALANCE
88-59	47246	03/14/89	TIME	NJE	MC	ROSS	60.00	0.50	30.00			
									30.00			
88-59	47378	05/10/89				BILL inv 89 263						-30.00
												-30.00
88-59	48639	09/18/90	TIME	NJE	MC	GEORGE ROSS W/S	60.00	0.40	24.00			
88-59	48656	09/24/90	TIME	NJE	MC	GEORGE ROSS	60.00	0.70	42.00			
88-59	48658	09/25/90	TIME	NJE	MC	GEORGE ROSS	60.00	0.10	6.00			
88-59	48667	09/25/90	TIME	MCX	CL	R/C:GEORGE ROSS S/P	25.00	1.00	25.00			
									127.00			
88-59	48789	11/05/90				BILL 90-390						-97.00
												-127.00
88-59	49090	01/08/91	TIME	MCX	CL	GEORGE ROSS/REV COMM	25.00	1.00	25.00			
88-59	49111	01/08/91	TIME	NJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	49116	01/10/91	TIME	NJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	49224	01/17/91	TIME	NJE	MC	ROSS	65.00	0.40	26.00			
									243.00			
88-59	49414	02/12/91				BILL INV 91-173						-116.00
												-243.00
88-59	50892	06/18/91	TIME	NJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	50969	06/24/91	TIME	MCX	CL	R/REVIEW COMMENTS	25.00	1.00	25.00			
88-59	51029	06/24/91	TIME	NJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	51033	06/25/91	TIME	NJE	MC	ROSS S/P	65.00	0.10	6.50			
88-59	51337	08/06/91	TIME	NJE	MC	ROSS	65.00	0.30	19.50			
									359.00			
88-59	51258	08/08/91				BILL 91-436						-96.50
												-339.50
88-59	51617	09/10/91	TIME	NJE	MC	ROSS	65.00	0.50	32.50			
88-59	51624	09/10/91	TIME	MCX	CL	ROSS-REV COMMENTS	25.00	1.00	25.00			
88-59	51620	09/11/91	TIME	NJE	MC	ROSS	65.00	0.10	6.50			
88-59	51706	09/17/91	TIME	NJE	MC	ROSS	65.00	0.30	19.50			
88-59	51749	09/23/91	TIME	NJE	MC	ROSS	65.00	0.30	19.50			
88-59	51786	09/24/91	TIME	MCX	CL	R/REVIEW COMMENTS	25.00	1.00	25.00			
88-59	51753	09/25/91	TIME	NJE	MC	ROSS	65.00	0.10	6.50			
									493.50			

AS OF: 07/10/93

PAGE: 2

# HISTORICAL CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 88- 59

							-----DOLLARS-----				
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
.....											
88-59	51935	10/24/91			BILL MHE INV 91-579					-154.00	
										-493.50	
										=====	=====
TASK TOTAL								493.50	0.00	-493.50	0.00
.....											
GRAND TOTAL								493.50	0.00	-493.50	0.00

AS OF: 07/10/93

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 88- 59

FOR WORK DONE PRIOR TO: 11/01/93

								-----DOLLARS-----			
TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
88-59	57236	12/07/92	TIME	NJE	MC ROSS	65.00	0.40	26.00			
88-59	56987	12/08/92	TIME	NCK	CL R/REVIEW COMMENTS	25.00	0.50	12.50			
88-59	57242	12/08/92	TIME	NJE	MC ROSS	65.00	0.10	6.50			
								45.00			
88-59	65282	04/13/93			BILL 93-247					-45.00	
										-45.00	
88-59	67623	05/05/93	TIME	NJE	WS GEORGE ROSS (88-59)	70.00	0.40	28.00			
88-59	69827	05/25/93	TIME	NJE	MC ROSS	70.00	0.50	35.00			
88-59	68706	05/26/93	TIME	NCK	CL R/REVIEW COMMENTS	25.00	0.50	12.50			
88-59	69845	05/26/93	TIME	NJE	MC ROSS	70.00	0.10	7.00			
88-59	70038	06/02/93	TIME	NJE	MC ROSS S/P	70.00	0.50	35.00			
88-59	71821	06/16/93	TIME	NJE	WS ROSS	70.00	0.40	28.00			
88-59	71321	06/22/93	TIME	NCK	CL MEMO	25.00	0.50	12.50			
88-59	70980	06/23/93	TIME	NJE	MM COND S/P APPL ROSS	70.00	0.10	7.00			
88-59	71332	06/23/93	TIME	NCK	CL R/REVIEW COMMENTS	25.00	0.50	12.50			
88-59	71888	06/23/93	TIME	NJE	MC ROSS S/P	70.00	0.50	35.00			
88-59	75452	08/20/93	TIME	NJE	MC TORPEY S/P LETTER	70.00	0.50	35.00			
88-59	75585	08/20/93	TIME	NCK	CL LTR	25.00	0.50	12.50			
								305.00			
88-59	75628	08/20/93			BILL 93-445		PD			-212.50	
										-257.50	
TASK TOTAL								305.00	0.00	-257.50	47.50
GRAND TOTAL								305.00	0.00	-257.50	47.50

493.50  
 305.00  
 -----  
 798.50



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

1763

October 28, 1993

Mr. George Ross  
140 Highland Avenue  
Middletown, NY 10940

SUBJECT: TOWN OF NEW WINDSOR - TAX MAP #35-1-45  
RT. 32 (WINDSOR HWY.)  
NEW WINDSOR, NY

Dear Mr. Ross:

At your earliest convenience, please advise the Planning Board of the status of the work completed to date at your site on Rt. 32 in the Town of New Windsor. The Board is particularly concerned with the lighting at the site as this could be a hazard to the public.

Your cooperation in this matter is greatly appreciated and if you would like to schedule an appearance to discuss this matter, please notify our office to schedule an appearance before the Planning Board.

Very truly yours,

James R. Petro, Jr.  
James R. Petro, Jr.  
Chairman

mlm

cc: File #88-59

CUOMO ENGINEERING  
STEWART INTERNATIONAL AIRPORT  
2005 D STREET, BUILDING NO. 704  
NEW WINDSOR, NEW YORK 12553

BOND ESTIMATE

COMMERCIAL PROPERTY

FOR

LANDS OF GEORGE ROSS

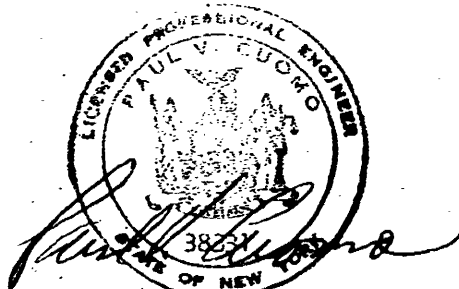
TOWN OF NEW WINDSOR

REVISED OCTOBER 12, 1993  
JULY 7, 1993

JOB NO.: 90228

1.	295 LIN.FT. OF 6 FT HIGH STOCKADE FENCE @ \$6.00/L.F. INCLUDING GATES	\$1,770.00
2.	BLACK TOP 4,500 SQ.FT.	\$3,900.00
3.	LANDSCAPING	\$1,000.00
4.	STRIPING	\$ 200.00
5.	SIGNS	<u>\$ 150.00</u>

TOTAL AMOUNT OF BOND \$7,020.00



PAUL V. CUOMO, P.E.  
CONSULTING ENGINEER



RESULTS OF P.B. MEETING

DATE: October 13, 1993

PROJECT NAME: Boss, George S.P. PROJECT NUMBER 88-59

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M)    S)    VOTE: A    N   

\* M)    S)    VOTE: A    N   

CARRIED: YES    NO   

\* CARRIED: YES:    NO   

\*\*\*\*\*

PUBLIC HEARING: M)    S)    VOTE: A    N   

WAIVED: YES    NO   

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

Lights are in parking lot + lit according to Mr. Ross

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ROSS, GEORGE - SITE PLAN (88-59) - STATUS

Mr. George Ross and Paul Cuomo appeared before the board for this application.

MR. PETRO: This is basically a status and update of the site plan that we reviewed a few months ago. Mr. Ross is here represented also Mr. Cuomo. Mr. Ross, can you bring us up to date? I guess there was some subject to's to your map being signed, just what has been done and where are we at this point?

MR. ROSS: Well, the blacktop has been completed. The striping and the handicapped parking signs has been completed. And I'm told that the fence would be installed this coming week.

MR. VAN LEEUWEN: How about the lights in the parking lot?

MR. ROSS: That is installed.

MR. VAN LEEUWEN: Are they lit?

MR. ROSS: Yes, that was installed by Central Hudson. I know I have been paying bills.

MR. VAN LEEUWEN: I went back passed there last night it was so dark out there you could trip over a pebble.

MR. PETRO: Are there any questions from the board members on any particular items for the applicant?

MR. LANDER: The fence on the Chalef property alongside the Chalef property, is that installed?

MR. ROSS: That is what's going to be installed this coming week.

MR. PETRO: George, there's been a letter I believe to the Planning Board and also I've seen Mr. Chalef in person and he's complained a few times about the towing coming in late at night. He had restricted times at that time I think noting after five or six o'clock at night, I don't remember the exact times whatever the

times were he claims there was some cars coming in on Sunday and after the times that were imposed so you as the landlord, maybe you can--

MR. ROSS: I'll talk to Pat on that.

MR. PETRO: I've talked to him myself, I've seen him maybe you can just kind of monitor that a little bit as to prevent any further problems.

MR. ROSS: I'll have to be a little bit of a Solomon because from what I understand, it's a personal vendetta between Pat and George. I'll get on Pat.

MR. PETRO: Just keep an eye on it.

MR. BABCOCK: Can we also let the applicant know that if any time his type of bujsiness or hours of operation if he wanted to come back to the board and ask for a new special permit, he would be eligible to do that so if this towing company has changed and now that they are in business here have realized that their hours need to be different or if they need to more than what they had told the board, they can reapply for a special permit.

MR. ROSS: That would be Mr. Torpey, I would just pass that on to him.

MR. BABCOCK: Yes, he can come back to this board. I don't know whether the board feels that is necessary or not.

MR. ROSS: I really don't know much about the operation of his business.

MR. PETRO: Anyone can come back and ask under any special permit they can try to do something, not necessarily going to be approved.

MR. BABCOCK: I think if things have changed since then what has been said at the last meeting, now he's found that he needs to operate his business at different hours, maybe he should come back and modify his special permit and ask for it to be modified, not that he will

get an approval but that he can ask.

MR. ROSS: There's also one more positive thing happening, the restaurant has been sold to El Amigo, they have the place opposite Stewart, it's Rudy, who is in my opinion, much more of a businessman.

MR. PETRO: They run a very classy operation up here.

MR. ROSS: It's an improvement for me. He is going to be making changes and cleaning up and doing things with it.

MR. PETRO: You are leasing the building.

MR. ROSS: Yes, the business was sold so I have a much stronger tenant going in there. He will be doing a lot of improvements cosmetically.

MR. PETRO: I've had a couple reports that the old tenant was throwing garbage in the stream behind the building.

MR. ROSS: That I don't know. But I had my problems with him and I had to remove a lot of garbage at my own expense because I'm happy, I understand El Amigo is a well run operation from what I understand.

MR. CUOMO: We also submitted the revised bond estimate for approval. I don't know if you got that yet.

MR. EDSALL: I have it tonight.

MR. CUOMO: They wanted the whole thing for your computation, right, Mark? I try to put everything in there.

MR. PETRO: Any other questions for the applicant? I think he's answered pretty much--

MR. LANDER: Any landscaping behind the dumpster area there.

MR. ROSS: That is what I was waiting for El Amigo to come in. He has some ideas what he is wants to do

October 13, 1993

15

rather than have the guy do something skimpy.

MR. LANDER: Tell the other guy when he leaves take all his garbage with him.

MR. ROSS: I had to remove it at my own cost refrigerator and some things I got tired of arguing with him but from what I understand, the fella at El Amigo runs a very nice operation. He told me he wants to dress it up so I am very happy about that.

MR. LANDER: Lights are going to be an important thing because you can't see over there.

MR. ROSS: Lights were installed.

MR. LANDER: Lights are there but only one works.

MR. ROSS: I rent it from Central Hudson so I just have to notify them.

MR. VAN LEEUWEN: You're going to take care of that?

MR. ROSS: Yes, I definitely will.

MR. PETRO: Thank you very much for coming in, appreciate it.

New Windson Planning Board  
555 Union Ave.  
New Windson, N.Y. 12553

August 4, 1993

Re: 20th Century Towing, 268 Windson Hwy., New Windson, N.Y.

Dear Sirs,

I would hereby like to make a formal complaint against 20th Century Towing. On 6/30/93, I witnessed the restrictions placed upon this business by the Planning Board of New Windson. These restrictions included hours of operation of Mon.-Sat. 8am-8pm, no Sunday hours, and no mechanical repair of vehicles.


Over the past month, I have been witness to numerous violations of these restrictions:

Sun. July 18th- 10pm- towing in vehicle  
Sat. July 24th- 9:15pm- towing in vehicle  
Sun. July 25th- 11am-5:40pm- towing in vehicles, moving around vehicles.  
Tues. July 27th-11:30pm-towing in vehicle  
Wed. July 28th-9:10pm- towing in vehicle  
Thurs. July 29th-11pm- towing in vehicle  
Sun. Aug. 1st-10:45am- towing in vehicle  
Sun. Aug. 1st- 7:20pm- towing in vehicle

I have also observed the presence of a large amount of mechanical repair equipment, such as transmission jacks, engine cranes, and automotive lifts. It appears that the daily repair of motor vehicles is taking place, against restrictions. The building displays Registered N.Y. State Motor Vehicle Repair Shop, and Inspection Station signs.

I first came forward with my concerns on behalf of my family and my tenants. We deserve a reasonable amount of protection against having our sleep interrupted by diesel trucks idling for hours, chains clanking, doors slamming, etc. We were all pleased that the planning board chose to protect our rights by imposing fair restrictions on 20th Century Towing. Apparently, the operators of this business do not take seriously, either the restrictions imposed, nor the power of the planning board to enforce them. Thank you for your attention to this matter.

Respectfully,

  
George S. Chaleff  
266 Windson Hwy.  
New Windson, N.Y. 12553

9/2/93

Spoke to David C Cuomo's office

Said he would do estimate  
in more detail per our conversation

**CUOMO ENGINEERING**  
**STEWART INTERNATIONAL AIRPORT**  
**2005 D STREET, BUILDING NO. 704**  
**NEW WINDSOR, NEW YORK 12553**

**BOND ESTIMATE**

**COMMERCIAL PROPERTY**

**FOR**

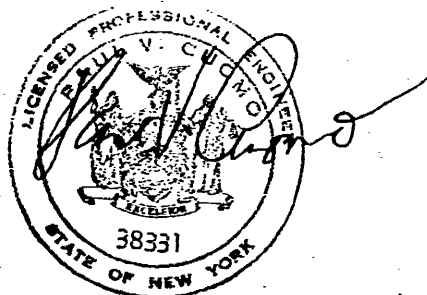
**LANDS OF GEORGE ROSS**

**TOWN OF NEW WINDSOR**

**JULY 7, 1993**

**JOB NO.: 90228**

1.	295 LIN.FT. OF 6 FT HIGH STOCKADE FENCE @ \$6.00/L.F.	\$1,770.00
2.	ASPHALT PAVING	\$4,000.00 (COMPLETED)
	<b>TOTAL AMOUNT OF BOND</b>	<b>\$1,770.00</b>



Need sq. ~~ft.~~  
yd. of paving

whats been installed + proposed

All } Curbing  
L. Scaping  
lighting

Not detail enough



AS 01 06/22/93

PAGE: 1

## HISTORICAL CHRONOLOGICAL JOB STATUS REPORT

JOB: 98-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 38- 59

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----		
										EXP.	BILLED	BALANCE
88-59	47246	03/14/89	TIME	MJE	MC	ROSS	60.00	0.50	30.00			
									30.00			
88-59	47378	05/10/89				BILL INV 89 263						-30.00
												-30.00
88-59	48659	09/18/90	TIME	MJE	MC	GEORGE ROSS W/S	60.00	0.40	24.00			
88-59	48656	09/24/90	TIME	MJE	MC	GEORGE ROSS	60.00	0.70	42.00			
88-59	48658	09/25/90	TIME	MJE	MC	GEORGE ROSS	60.00	0.10	6.00			
88-59	48667	09/25/90	TIME	MCK	CL	R/C:GEORGE ROSS S/P	25.00	1.00	25.00			
									127.00			
88-59	49789	11/05/90				BILL 90-390						-97.00
												-127.00
88-59	49090	01/08/91	TIME	MCK	CL	GEORGE ROSS/REV COMM	25.00	1.00	25.00			
88-59	49111	01/08/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	49116	01/10/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	49224	01/17/91	TIME	MJE	MC	ROSS	65.00	0.40	26.00			
									243.00			
88-59	49414	02/12/91				BILL INV 91-173						-116.00
												-243.00
88-59	50392	06/18/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	50769	06/24/91	TIME	MCK	CL	R/REVIEW COMMENTS	25.00	1.00	25.00			
88-59	51029	06/24/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	51033	06/25/91	TIME	MJE	MC	ROSS S/P	65.00	0.10	6.50			
88-59	51337	02/06/91	TIME	MJE	MC	ROSS	65.00	0.30	19.50			
									359.00			
88-59	51288	08/08/91				BILL 91-436						-96.50
												-339.50
88-59	51617	09/10/91	TIME	MJE	MC	ROSS	65.00	0.50	32.50			
88-59	51624	09/10/91	TIME	MCK	CL	ROSS-REV COMMENTS	25.00	1.00	25.00			
88-59	51620	09/11/91	TIME	MJE	MC	ROSS	65.00	0.10	6.50			
88-59	51702	09/17/91	TIME	MJE	MC	ROSS	65.00	0.30	19.50			
88-59	51747	09/23/91	TIME	MJE	MC	ROSS	65.00	0.30	19.50			
88-59	51756	09/24/91	TIME	MCK	CL	R/REVIEW COMMENTS	25.00	1.00	25.00			
88-59	51753	09/25/91	TIME	MJE	MC	ROSS	65.00	0.10	6.50			
									493.50			

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWHAIR - TOWN OF NEW WINDSOR

100-22-149

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	MRS.	TIME	EXP.	BILLED	BALANCE
88-59	51935	10/24/91			BILL NHE INV 91-575					-154.00	
										-493.50	
					TASK TOTAL			493.50	0.00	-493.50	0.00
					GRAND TOTAL			493.50	0.00	-493.50	0.00

AS 06/22/93

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 88- 39

FOR WORK DONE PRIOR TO: 08/26/93

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----		
									EXP.	BILLED	BALANCE
88-59	57236	12/07/92	TIME	MJE	MC ROSS	65.00	0.40	26.00			
88-59	56987	12/08/92	TIME	MCK	CL R/REVIEW COMMENTS	25.00	0.50	12.50			
88-59	57242	12/08/92	TIME	MJE	MC ROSS	65.00	0.10	6.50			
								45.00			
88-59	65282	04/13/93			BILL 93-247					-45.00	
										-45.00	
88-59	67623	05/05/93	TIME	MJE	WS GEORGE ROSS (88-59)	70.00	0.40	28.00			
88-59	67627	05/25/93	TIME	MJE	MC ROSS	70.00	0.50	35.00			
88-59	66706	05/26/93	TIME	MCK	CL R/REVIEW COMMENTS	25.00	0.50	12.50			
88-59	69845	05/26/93	TIME	MJE	MC ROSS	70.00	0.10	7.00			
88-59	70038	06/02/93	TIME	MJE	MC ROSS S/P	70.00	0.50	35.00			
88-59	71821	06/16/93	TIME	MJE	WS ROSS	70.00	0.40	28.00			
88-59	71321	06/22/93	TIME	MCK	CL MEND	25.00	0.50	12.50			
88-59	70930	06/23/93	TIME	MJE	MM COND S/P APPL ROSS	70.00	0.10	7.00			
88-59	71332	06/23/93	TIME	MCK	CL R/REVIEW COMMENTS	25.00	0.50	12.50			
88-59	71638	06/23/93	TIME	MJE	MC ROSS S/P	70.00	0.50	35.00			
					TASK TOTAL			257.50	0.00	-45.00	212.50
					GRAND TOTAL			257.50	0.00	-45.00	212.50

RESULTS OF P.B. MEETING

DATE: June 23, 1993

PROJECT NAME: George Ross Site Plan PROJECT NUMBER 88-59

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M)\_\_\_ S)\_\_\_ VOTE:A\_\_\_ N\_\_\_

\* M)V S)L VOTE:A 4 N 0

CARRIED: YES\_\_\_ NO\_\_\_

\* CARRIED: YES: ✓ NO\_\_\_

\*\*\*\*\*

PUBLIC HEARING: M)\_\_\_ S)\_\_\_ VOTE:A\_\_\_ N\_\_\_

WAIVED: YES\_\_\_ NO\_\_\_

SEND TO OR. CO. PLANNING: M)\_\_\_ S)\_\_\_ VOTE:A\_\_\_ N\_\_\_ YES\_\_\_ NO\_\_\_

SEND TO DEPT. OF TRANSPORT: M)\_\_\_ S)\_\_\_ VOTE:A\_\_\_ N\_\_\_ YES\_\_\_ NO\_\_\_

DISAPP: REFER TO Z.B.A.: M)\_\_\_ S)\_\_\_ VOTE:A\_\_\_ N\_\_\_ YES\_\_\_ NO\_\_\_

RETURN TO WORK SHOP: YES\_\_\_ NO\_\_\_

APPROVAL:

M)E S)S VOTE:A\_\_\_ N\_\_\_ APPROVED:\_\_\_

M)V S)S VOTE:A 4 N 0 APPR. CONDITIONALLY: ✓

NEED NEW PLANS: YES ✓ NO\_\_\_

DISCUSSION/APPROVAL CONDITIONS:\_\_\_

*add to plan* { hours of operation? Answer by applicant 8:00 - 5:00

*(by bond)* Restrictions of Special Permit: Hours 8:00<sup>am</sup> - 8:00<sup>pm</sup>

six days per week - No Sunday

Correct Bldg. #1 + 2 ht. } fence corrected ("remove" optional)

George Chaliff spoke: how many cars? 30 Re: fence 6' stockade

Bond Estimate Due:



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

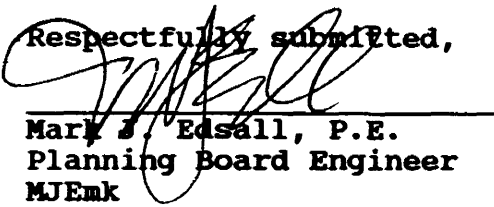
- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** GEORGE ROSS SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 88-59  
**DATE:** 23 JUNE 1993  
**DESCRIPTION:** THE APPLICATION INVOLVES A CHANGE IN USE AND SOME  
SITE IMPROVEMENTS TO THE EXISTING PROPERTY AT  
268-272 WINDSOR HIGHWAY. THE PLAN WAS MOST  
RECENTLY REVIEWED AT THE 26 MAY 1993 PLANNING  
BOARD MEETING.

1. Since the last meeting, the Applicant has met with Town representatives at the Planning Board Technical Work Session, to address the various outstanding issues. All previous comments have been addressed, with only one (1) remaining correction being necessary to the plan. Specifically, the indicated "allowable height" shown for Buildings 1 and 2 continues to be incorrectly calculated. These allowable heights should be corrected on the plan submitted for stamp of approval.
2. As noted in my memorandum for record dated 22 June 1993, I was contacted by Don Greene of the NYSDOT, indicating acceptance of the highway improvements.
3. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
4. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
5. Other than the items noted above, I am aware of no other items which must be addressed before the Board can consider site plan approval.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:ROSS2.mk



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

22 June 1993

**MEMORANDUM FOR RECORD**

**SUBJECT: GEORGE ROSS SITE PLAN**  
**NEW WINDSOR PLANNING BOARD NO. 88-59**  
**MHE JOB NO. 87-56**

On 21 June 1993 I met with Don Greene of the NYSDOT with regarding to the subject application before the Planning Board. At that time, Don Greene confirmed his phone call to the Town indicating that the improvements relative to the State Highway 32 shown on the proposed site plan (which have already been constructed) have been accepted and the permit has been "closed out". Don Greene advised me that I could advise the Planning Board of same at their 23 June 1993 Planning Board meeting.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman

A:6-22-4E.mk



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

20 August 1993

Mr. Pat Torpey  
Twentieth Century Towing, Inc.  
270 Windsor Highway  
New Windsor, New York 12553

SUBJECT: SITE PLAN APPROVAL  
NEW WINDSOR PLANNING BOARD NO. 88-59

Dear Mr. Torpey:

This letter is being written pursuant to your request to acknowledge the action of the Town of New Windsor Planning Board with regard to your business located at 270 Windsor Highway within the Town of New Windsor.

As a component of the Ross site plan, New Windsor Planning Board No. 88-59, Twentieth Century Towing, Inc. has been permitted to operate as an auto repair shop in accordance with the provisions and requirements of the Town of New Windsor Zoning Law. This conditional approval was granted by the Planning Board on 23 June 1993.

It should be noted that the site plan approval includes the issuance of a special permit, which makes the project subject to specific requirements and restrictions outlined by the Board. These apply, notwithstanding any classification of use by the State of New York.

If you have any questions concerning the above, please do not hesitate to contact the undersigned or Chairman James Petro of the Planning Board.

Very truly yours,

TOWN OF NEW WINDSOR  
PLANNING BOARD

A handwritten signature in dark ink, appearing to read 'Mark J. Edsall', written over a horizontal line.

Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk

cc: James Petro, Planning Board Chairman  
A:TORPEY.mk

## GEORGE ROSS SITE PLAN:

BY MR. PETRO: Last but not least, this is a serious thing here, down at Ross Site Plan, down there. I didn't want to get into this but Ron is concerned with it and we gave them a special permit under special permit to operate that towing and recovering prep shop.

BY MR. LANDER: Prep, detailing and recovery.

BY MR. PETRO: Now we received this letter yesterday. I'm writing a letter stating 20th Century Towing, Inc., located at 207 Windsor Highway, New Windsor, New York, can operate as a registered auto repair shop. This request is to transfer my repair shop and inspection license from Newburgh to New Windsor. Again as I reminded Ron earlier that if we do this for him, we are not giving approval for any function anywhere in the New Windsor to a person but to a site, so that would go onto him and next person and next person, so we can't do it for him. In other words, for the site, if we are going to say that it is a legitimate repair shop.

BY MR. VAN LEEUWEN: Can we do it after he leaves automatically?

BY MR. PETRO: Maybe under the special permit we can do that.

BY MR. EDSALL: Did you not review in a public hearing this special type of use it may have a use classification but under your special permit and under SEQRA you reviewed a specific type of operation, that is what you made your decision on, that is what you issued the special permit on.

BY MR. VAN LEEUWEN: You have got to understand one thing, okay guys. I have a DOT permit, okay, or state permit to operate a repair shop. He can't operate his tow trucks out there without repair license. He can't.

BY MR. PETRO: You're 100% correct.

BY MR. BABCOCK: Listen, one thing I want to say the special permit that was issued by this Board was before Century 21 came in. The Board made a decision that the use did not change enough to require another



public hearing for another special permit.

BY MR. LANDER: In here for auto prep and detailing, prep and detailing, that is what he was in here for. I have nothing against this guy, he can do whatever he wants, but George Ross doesn't do what he wants and that is who's getting this building changed.

BY MR. VAN LEEUWEN: I agree with you.

BY MR. BABCOCK: These letters have never even come to the Planning Board. If it would have come across my desk, I would have given this man the letter. I have given every tow truck business in this town a letter like that, Gene Hecht's got one, Babcock's got one in Vails Gate.

BY MR. LANDER: This isn't the same situation.

BY MR. BABCOCK: You're right.

BY MR. EDSALL: He may need a letter to the state to put this under just a general group, but as far as this site plan and special permit, that is restricted beyond what that letter recognizes.

BY MR. LANDER: We set forth some restrictions in that special permit which has not adhered to and there is a letter in your folder, somebody signed a formal complaint that he operates after eight o'clock, seven days a week. I mean, why?

BY MR. PETRO: I have spoken with --

BY MR. VAN LEEUWEN: Is that Chaless that complained?

BY MR. LANDER: Chaless wrote the letter, I have seen the guy coming in and out.

BY MR. PETRO: He said he was working in there on Sundays on his own vehicles. He was unaware that he couldn't even bring his own vehicles in there and he said he would try to stop it.

BY MR. LANDER: He was towing vehicles in there after hours, I know it's going to happen. I didn't bring it up, Chaless brought it up and I can verify that he was towing vehicles after eight o'clock. He says he takes them home.

BY MR. VAN LEEUWEN: Chaless is selling cars out there which wasn't part of the agreement.

BY MR. LANDER: I think it was.

BY MR. VAN LEEUWEN: Not with the Planning Board it wasn't.

BY MR. PETRO: I think the bottom line is we can give him the letter because he needs it for the towing and recovery and under the special permit that letter is not going to supercede whatever restrictions we have set forth upon this special permit.

BY MR. DUBALDI: It's my understanding we approved a repair shop there, that is not my understanding. It's my understanding that we did not approve a repair shop.

BY MR. EDSALL: You're going to write a letter to the state and their definition of that may be different than what you approved. It's a general letter, it doesn't change the approval.

BY MR. PETRO: For use only for him to receive his DOT license and inspection license, it's for that use only but not for the planning board.

BY MR. BABCOCK: The letter has to say repair. I'm going to tell you that.

BY MR. LANDER: You're going to find lifts.

BY MR. BABCOCK: He does have lifts.

BY MR. LANDER: They weren't there before.

BY MR. DUBALDI: They are there now.

BY MR. LANDER: They weren't there before, I was in that building.

BY MR. BABCOCK: In the public hearing, during the public hearing which when Mr. Chaless was here and they told him that he couldn't operate till he had final approval and he said that he has not operated anywhere because he left his business, would it be okay if he brings the material in, I have got all the electric lifts to get them out of the thing and that didn't come up in the minutes, okay, cause me and

Myra went through both sets of minutes and I don't remember him talking about having lifts there. I don't know for what reason.

BY MR. LANDER: If he's just storing them there they shouldn't be bolted to the floor. I had a problem with that from the beginning about having that recovery shop in there. I have had a problem from the beginning. I still have a problem.

BY MR. PETRO: The original site plan had repair center there. We felt that it was close enough to the same use, Mike is that what happened there?

BY MR. BABCOCK: The discussion went that there is nothing in the zoning code that details.

BY MR. EDSALL: The letter doesn't change what you approved.

BY MR. BABCOCK: Just for your knowledge, maybe there is misunderstanding. The way I understood it was that when the first people came in it was going to be a detail shop for Newburgh Auto Mart. That is what we are working on and that is the same application and when we looked in the zoning ordinance to find where a detail shop would be listed, there's no such thing. There's something that is new today, so what is it, is it a muffler shop? We went back and forth, we have Monro, the only place it can go in the zoning ordinance is under gasoline service and motor vehicle repair garages which requires a special permit. That is what he did, he went through special permit. George Ross lost a tenant. A year went by, this tenant come in. They came in and said everybody knew that it was going to be definitely towing and recovery and prep shop. That is definitely the word that is used in the minutes. Then there was a decision whether they needed a new public hearing and special permit because it was changed. And the Board agreed, everybody in the minutes agreed, that there wasn't any change, it was a minor change to the wording of the building and that it wouldn't be required to have a new public hearing or new special permit.

BY MR. EDSALL: Can I ask a question about the letter you have to write. Does he have to have a license to run a detailing shop, that type of license?

BY MR. BABCOCK: No, it's for the towing.

BY MR. VAN LEEUWEN: Unless if he does it for the public, he has to have the license.

BY MR. EDSALL: For him to run the towing operation, he needs that letter to run the towing operation.

BY MR. VAN LEEUWEN: Absolutely, he's got to have that number on his bills.

BY MR. EDSALL: You approved the towing operation. What I am saying is write the letter noting that he is subject to special permit under the zoning law of the Town of New Windsor and he's subject to restrictions and this letter does not modify his approval.

BY MR. PETRO: Why don't you draft a letter?

BY MR. EDSALL: Just because you write a letter to the state doesn't change your approval.

BY MR. PETRO: That is very true, but what Carmen and Ron are both saying, I'm not stating I am for or against the guy, that he's in fact whatever you put in the letter is going to have a repair shop.

BY MR. EDSALL: Let's put it this way, if he runs that as a repair shop and it's your belief that it's against your approval, that has nothing to do with the state. You should violate him on the Town of New Windsor law, not the permit.

BY MR. LANDER; I'll go along with that.

BY MR. PETRO: In his defense, you have Lee Miles Muffler Shop. They are doing all kinds of repairs and he's next door. He's 20 feet away and he can't do it.

BY MR. EDSALL: That is not what his approval was, if he wants to change it he can come back.

BY MR. LANDER: He wasn't there first.

BY MR. VAN LEEUWEN: If you detail a car for somebody, if you tow a car for somebody, you must have that license number on all your billings. If he charges you \$25 to detail a car, he must have that on

his billings on order to give you a billing.

BY MR. BABCOCK: How I understand this, I'm not sure that it's going to operate that way, his main thing is preping the cars, but if he gets a car that is, that has got an exhaust system or muffler that is falling off, he's going to fix it. That is what he does. He has to get the car ready to go to the next stop and if it takes a new windshield, wiper blades, I'm sure if he wants to change the oil, he's going to do that and I don't think his main business, it's not like Lee Miles Transmission where cars are going to be coming in or I don't think it's going to be a situation where you're going to be able to bring your car in there for service. It's going to be the cars that he deals with.

BY MR. PETRO: He has six cars there today, he's approved for 35, so it's a very light thing.

BY MR. LANDER: Who owns all the cars in the parking lot?

BY MR. BABCOCK: That is probably where he parks them.

BY MR. LANDER: We should have thought about it a little further.

BY MR. BABCOCK: At the time --

BY MR. LANDER: I'm talking about the parking now because the guy that lives in that house, that rents it from George Ross, he's not going to complain at all, he's not going to say a word to the Town, George Ross or anybody because he doesn't want George Ross to throw him out, right, but that poor guy is surrounded by fumes, he's surrounded by cars. Now, he has two spots.

BY MR. VAN LEEUWEN: I make a motion to adjourn.

BY MR. PETRO: Site visit for the body shop down on, there is no big hurry for that. We can let that go until after he has got to go to the Zoning Board and come back for preliminary. Still I don't know what we are doing with 20th Century Towing.

BY MR. BABCOCK: We're going to give him that letter so they can get their towing license. Now if we have

a filed complaint --

BY MR. PETRO: You can take action.

BY MR. BABCOCK: Is that fair, Ron?

BY MR. PETRO: It's not a blanket approval for repair.

BY MR. LANDER: Here's the first one, it's in your folder. You get a folder, you must get a folder.

BY MR. PETRO: But I didn't want to read that letter. You'll do the letter with Myra tomorrow?

BY MR. EDSALL: Or Friday.

BY MR. VAN LEEUWEN: I make a motion that we adjourn the meeting.

BY MR. SCHIEFER: Second.

ROLL CALL:

MR. SCHIEFER: Aye.

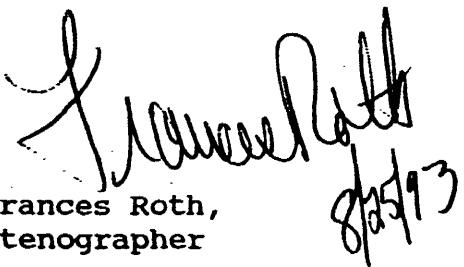
MR. LANDER: Aye.

MR. DUBALDI: Aye.

MR. PETRO: Aye.

MR. VAN LEEUWEN: Aye.

Respectfully submitted by:

  
Frances Roth,  
Stenographer



**20TH**  
**CENTURY TOWING & RECOVERY**

"Best Rates Around"  
Local & Long Distance  
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TO: The town of New Windsor

Please write a letter stating that 20th Century Towing, Inc.  
located at 270 Windsor Highway, New Windsor N.Y. 12553, can operate as  
a registered auto repair shop. This request is to transfer my repair  
shop and inspection license from Newburgh to New Windsor.

Sincerely,

Patrick Torpey

**GEORGE ROSS - SITE PLAN:**

Mr. Douglas Montgomery came before the Board representing this proposal.

BY MR. MONTGOMERY: I was here before you last January, it's a continuation of the revitalization of this property right next to Mr. Lander's. What we are trying to do now, we've completed, let me tell you what's happened since the last time I spoke to you. We put curbing in and all the vegetation that was required. We had Ira Conklin pull out the tanks that have been there for some years. They were pulled out without contamination. We have estimates right now on getting the fencing in that's shown on the plan. The reason we haven't done that yet is because of the mess that was on the property and pulling out the tanks. We didn't want to complete that until that was finished. That will be done in a week. The fence, we have signed contracts for that already. We do not have the final coating of blacktop done yet. We're still getting estimates for that. I'm starting to do it now because Mr. Conklin advised us to wait until the fall to blacktop it because it's already sunk a foot where we dug out the tanks, had to go quite deep. There's a lot of water in there. What we're trying to do now is go from that building, the restaurant, to the back building, which was the garage. At one point, it was I.T.I. Communications, which never got approved from you. They never had a C.O. and they went bankrupt on the property three years ago. They have been out of there since. We have signed a lease with Millcreek Auto Group who worked through Newburgh Auto Auction. They are wholesalers of cars but they like, what they'd like to do with this garage is use it for a prep garage. The only thing will be done there is washing the interior, washing the outside of the car and washing the cars. All the mechanical work will be done at their other site, which is not in New Windsor.

BY MR. VAN LEEUWEN: One thing I'd like to go back to, what about the dumpster we asked for?

BY MR. MONTGOMERY: The dumpster pad is right there.

BY MR. VAN LEEUWEN: What about the enclosure?



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BY MR. MONTGOMERY: It will be done this week. We signed contracts to get the fence.

BY MR. VAN LEEUWEN: It was supposed to be done back in February.

BY MR. MONTGOMERY: I said once we got the tanks pulled out and got this all done here, I'd have the fences here. We just got the tanks pulled out two and a half weeks ago.

BY MR. LANDER: The dumpster pad is poured?

BY MR. MONTGOMERY: It's been done for two months. I poured it myself.

BY MR. LANDER: I seen some concrete poured there, but as far as being wide enough for a dumpster pad, isn't that a pad for the propane tank?

BY MR. MONTGOMERY: No, it's not.

BY MR. LANDER: No?

BY MR. MONTGOMERY: No.

BY MR. LANDER: Are you going to put block on top of that now?

BY MR. MONTGOMERY: Actually, when I spoke with people from the dumpster, they said metal fencing is better because the block will be cracked from the dumpsters.

BY MR. LANDER: Fencing is going to wind up in the same condition as the block wall would be. That pad, how wide is the pad?

BY MR. MONTGOMERY: Wide enough for two dumpsters.

BY MR. LANDER: How wide is it? It's only about three or four feet wide.

BY MR. MONTGOMERY: Four and a half feet, it's enough to give a foot and a half that the dumpster is wide.

BY MR. LANDER: Well, I think the approval to have the Mexican Restaurant in here was to have that enclosure out of block. I think it states right here

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enclosed construction with concrete block, paint to match building, gates to be stockade fence type.

BY MR. EDSALL: That's two six foot gates.

BY MR. LANDER: All right, it's right on here, so that --

BY MR. MONTGOMERY: I'll have the blocks put in there.

BY MR. VAN LEEUWEN: Because I remember it being a block building, that's what you said you were going to do.

BY MR. MONTGOMERY: I was instructed to do otherwise. I didn't think it would make that much of a difference.

BY MR. SCHIEFER: In the last month, we have stopped two different projects because they deviated from the site plan. It's so easy if you tell us ahead of time or ask for permission, we can avoid that. If it's on the site plan and you plan to deviate, let us know immediately and it's going to slow you down.

BY MR. MONTGOMERY: I apologize.

BY MR. SCHIEFER: These are two major projects that have been stopped cold because they deviated from the original site plan. Any further comments?

BY MR. MCCARVILLE: I have a comment on this as far as using this. I'd like to see the word sales struck out because we are not putting a used car lot.

BY MR. MONTGOMERY: It's not used, strictly wholesale.

BY MR. MCCARVILLE: Wholesale, retail, whatever it is, it's not going to be a sales lot and if it is going to be service, as far as I'm concerned, I'm speaking for myself, not the entire Board, if it's going to be service, it's going to be limited to the number of parking spaces less the number of employees that you'll have there. We're not going to have wall to wall automobiles like they have in Newburgh and unfortunately, something that we already approved in this town as far as I'm concerned, I have seen enough

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automobiles. I've followed enough trucks towing cars with flatbeds and flatbeds with trash falling off them and everything else. That's the biggest nuisance that we created down there.

BY MR. VAN LEEUWEN: What he's trying to say you have to rename it, call it prep garage, automobile prep garage or something. If we approve it with sales, then we have a problem later on. We don't want any problems later on.

BY MR. MCCARVILLE: We're going to limit you very strictly on the number of automobiles that can be there. I hope you realize that.

BY MR. PETRO: Who's going to be using this building?

BY MR. MONTGOMERY: The name of the company is Millcreek Auto Group. It's in partnership with Orange Wholesalers, which is out of 17K.

BY MR. SCHIEFER: And are you going to use this, I think what I'm hearing from the Board members, are you going to use this to store a number of cars?

BY MR. MONTGOMERY: What they do is they buy the cars from the wholesale auction, they do any body work and painting at another site and they bring them there to be final waxed, washed or cleaned up. They return them to the auction to be sold or give them to the used car dealership in Orange County.

BY MR. SCHIEFER: How many cars do you plan, or would like to park here? That's the question I'm hearing from the Board members. Is there going to be 40, 50 cars here at one time?

BY MR. MONTGOMERY: I think more like 30, not very large operation.

BY MR. LANDER: 30 cars is that what you said?

BY MR. MONTGOMERY: Yes.

BY MR. PETRO: And the parking will be where, behind the building?

BY MR. MONTGOMERY: Behind the building, all along the edge.

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BY MR. PETRO: Show some parking spots on the plan where the cars are going to be parked.

BY MR. VAN LEEUWEN: I think what you should do is show this back lot, how many cars you're going to park back here. Show us where you're going to put the fence and then come back with it.

BY MR. SCHIEFER: And what kind of a fence, identify it. Mark, do you have a question?

BY MR. EDSALL: Yes, just to now that we have tonight had a clarification on what the rear building was intended for, we have to be cognizant of the fact that there's a zone line running through the building. The PI zone does not allow for service repair garages for automobiles. So --

BY MR. VAN LEEUWEN: He doesn't have a service repair garage, just prep garage here.

BY MR. EDSALL: There's no such thing in the PI zone, so I would just behoove upon the Board to have them select or define a use that the zoning allows, otherwise you would have difficulty in approving a site plan that's not allowed.

BY MR. PETRO: He has half.

BY MR. VAN LEEUWEN: Let him get together with the building inspector, pick out a zone and come back to us.

BY MR. EDSALL: PI zone is very restrictive and there's nothing in the PI zone that I see that has to do with automobiles period. So I'm just putting it on the table ow with the Board that --

BY MR. MONTGOMERY: When you go to a commercial zone and it's through the middle of the building, how do you distinguish what that building is then?

BY MR. EDSALL: There's, in the zoning also it, we'd have to look at the, exactly how it is worded, ability to slide the uses 30 feet.

BY MR. BABCOCK: The zone line really doesn't, the building doesn't come into play. What does, is the property. What it does, is it allows you to use,

entitles you to use 30 feet more either of C zone or 30 feet more PI. It appears that no matter what it is, it's still going to be split.

BY MR. PETRO: He can park 30 cars in any zone back there, no, he can park the cars there, he's not going to be working on them.

BY MR. BABCOCK: What we like to try to do is determine what zone he's going to fit this in, either C or PI and try to find some classification in that zone that fits a service establishment or whether it's called a service establishment or --

BY MR. PETRO: Automobile repair garage.

BY MR. BABCOCK: Or automobile repair garage, is really not important unless you don't want him to repair cars there.

BY MR. SCHIEFER: I'd like Mr. VanLeeuwen's comment, why don't you get together with the building inspector and if you can find an approved use for this zone. If not, we're going to have to send you to the Zoning Board of Appeals, and I'm sure you'd rather not do that. You and Mike sit down, find out. Mike, is that acceptable to you, something that you feel is acceptable?

BY MR. EDSALL: The difficulty we can't interpret the code, number one, that's what the Zoning Board of Appeals does, but the PI has absolutely nothing listed as a use by right or use by special permit dealing with automobiles. What I'm saying if there was anything in the zone that allowed for work on automobiles, we'd have some flexibility but my reading of the PI tables, there's no such use that's even close, so I think the Board will have to decide if the storing or the movement of vehicles for that use, parking on the PI zone area, constitutes a use or not. If it doesn't and you're saying basically the 30 foot flexibility would allow the automobile use in the building since it's within that 30 foot strip, as I understand the code allows, then the heck with the rest of the property that's in the PI zone. So be it, but I just want the Board to make that decision.

BY MR. VAN LEEUWEN: Biggest part of the property is

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in the C zone, very small part is PI zone. Wouldn't you think that C zone would predominate the PI zone, basically?

BY MR. EDSALL: That would be nice, but the code doesn't say that you can move it wherever you want. It says 30 feet.

BY MR. SCHIEFER: I think what Mark is looking for is an interpretation on our part. The way I look at it, the building itself is probably acceptable because it's in the C zone and we move it 30 feet just about all of it is in the C zone. All they are going to do in the PI zone is store the cars. There will be no servicing. That's another way of looking at it.

BY MR. MCCARVILLE: Excuse me, though.

BY MR. SCHIEFER: Mark is asking for interpretation on our part. If this is acceptable.

BY MR. EDSALL: If your interpretation is that the building with the 30 foot flexing area, the entire building is within that 30 foot area of the C zone, therefore the use is in the parking in the PI zone. That's acceptable. Let's put it on the record.

BY MR. MCCARVILLE: No we're still getting back to the point where you have vehicles that are for sale, one way or another. They are either for sale to wholesaler or they are going to be sold to the auto auction or brought back for resale, so you're operating regardless of what zone it is, an automobile sales business. Although they are there for cleaning, they are there for cleaning for one purpose, to be sold. I don't see how this differs to each from what we had with Lenny Schwartz (phonetic), where he's back by the neighborhood residential and he wasn't allowed by this Board to even park registered automobiles in the back of his 200 foot on his business. We never allowed him.

BY MR. BABCOCK: Maybe I can clarify that up. Under 4816-9 it says when parking is divided in district boundaries on lots divided by district boundaries, it says short and sweet, that you can park it. It doesn't matter without regard to the district lines provided that such parking shall not be located in any residential district. That's where that problem

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was and then the last paragraph or upon approval of the Planning Board. So, it's up to you guys.

BY MR. SCHIEFER: So it's kind of back to what Mark is saying.

BY MR. LANDER: I don't remember anything about 30 cars being parked anywhere here. We didn't discuss that.

BY MR. SCHIEFER: That didn't come up until I asked the question.

BY MR. LANDER: I thought I heard the gentleman say that he had discussed 30 cars.

BY MR. MONTGOMERY: I discussed with the tenants what they wanted to establish on the property.

BY MR. LANDER: Where are we going to put 30 cars here?

BY MR. MCCARVILLE: Right out in the backyard.

BY MR. VAN LEEUWEN: Grade it up and level it off.

BY MR. MONTGOMERY: It's not parking for customers, parking to get work done.

BY MR. PETRO: Well, there should be no customers there to start with.

BY MR. MCCARVILLE: It's a narrow lot. You have a restaurant, you have a single family residence. How do these cars generally come in, on a tow truck or on a flatbed? They came, they move all over the Hudson Valley.

BY MR. MONTGOMERY: The cars are not brought on a flatbed. They are, I guess they have been driven into the other site which I have visited. They are always driven.

BY MR. MCCARVILLE: They are going to go to the auto auction when they are done. You have drivers to bring everyone over?

BY MR. MONTGOMERY: That's what they have done so far.

BY MR. MCCARVILLE: I can't believe that.

BY MR. VAN LEEUWEN: Most of them are driven, because you see the numbers on the windshield and the dealer plates.

BY MR. MCCARVILLE: You see them on the trucks.

BY MR. VAN LEEUWEN: Those are the ones that are going to be brought out or in at Newburgh.

BY MR. MONTGOMERY: We deal in hundreds and hundreds of cars every week.

BY MR. VAN LEEUWEN: There's an average of 800 to 1600 cars a week going through that auction, gentlemen, on a busy week it's well over 3,000 a week.

BY MR. LANDER: Where's the chain link fence from the site behind the transmission shop or is that the line coming off the corner of the building here?

BY MR. MONTGOMERY: Right now, there's no chain link fence on here, on the map.

BY MR. LANDER: Where is it in relation to the transmission shop?

BY MR. MONTGOMERY: There's a chain link fence that existed on the property for years that goes from the corner of, actually I guess that's the line right now from the corner to the corner. What I have tried to do with the property, is the property that's exposed in the front is spruced up to look like a retail property and the back which is industrial, you have got the existing transmission shop back there. I've tried to block that out a little bit so you don't see it, as you're driving past the property. I'm trying to get the property to look much more acceptable to the people driving on 32, which is hasn't been in 15 years.

BY MR. SCHIEFER: It looks better.

BY MR. VAN LEEUWEN: Only thing is the dumpster, but he's cleaned up the front, he's doing something that hasn't been done in years.



BY MR. LANDER: Well, you know --

BY MR. VAN LEEUWEN: If he parks the cars in the back, I don't see a problem.

BY MR. MCCARVILLE: I see a problem. He needs a variance to park cars.

BY MR. SCHIEFER: In the, according to what Mike read, it --

BY MR. EDSALL: Relative to the 30 foot area that section 486D, which allows the 30 foot portion in the more restricted zone to be considered part of the less restricted zone, when the property is split. So that would allow the C zone uses to be extended and since only a percent, 25 or 30 feet is in the PI zone, that would allow the use within the building to be part of the C. As far as the parking, the section as Mike had read, 4816 subsection 9, that allows for the parking, so as long as he wasn't doing outside work, he could park them there, as part of the commercial use. What you may want to get on record, there will be no outside work on the vehicles, purely stored there.

BY MR. SCHIEFER: No work in the parking area.

BY MR. MONTGOMERY: Great, as a matter of fact, there's going to be no work except sprucing up the cars.

BY MR. SCHIEFER: And that will be in the garage?

BY MR. MONTGOMERY: In the garage.

BY MR. MCCARVILLE: Are there going to be sales of automobiles?

BY MR. MONTGOMERY: The sales are strictly wholesale and they are based, their office will be there, but the sales are not done from that site.

BY MR. VAN LEEUWEN: They'll not be selling cars off that site.

BY MR. MONTGOMERY: Correct.

BY MR. PETRO: So they have to be taken out of there?

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BY MR. MCCARVILLE: I would not have the word sales on the plan.

BY MR. VAN LEEUWEN: Just put prep garage on that.

BY MR. EDSALL: What they are asking for is a special permit use, so he may want to delineate these conditions.

BY MR. VAN LEEUWEN: I make a motion we put him up for a public hearing.

BY MR. PETRO: Mr. Chairman, when they come back number one we have to have, you have a limit of new paving way down here, so there's no idea of what we're going to be doing here.

BY MR. MONTGOMERY: They are ready to Item four it.

BY MR. PETRO: Item four around the building itself and bulk shale or some shale in the back. Number two, I think we should make provision that sometime in the future to put shale back here on this property. Mr. Lander and other people that may be a stockade fence should be around the 30 car parking lot. Somebody developed that land on this side.

BY MR. MONTGOMERY: They have to put a fence around for insurance regulations.

BY MR. SCHIEFER: My comment would you put that information on the site plan, that's all.

BY MR. PETRO: Then something should be put on there to that effect.

BY MR. SCHIEFER: I can't see leaving the cars parked down there out in the open.

BY MR. VAN LEEUWEN: I make a motion we set him up for a public hearing.

BY MR. PETRO: I'll second it.

BY MR. SCHIEFER: We'll give him some time. Any discussion or any comments? Does the applicant have any problems?

BY MR. MONTGOMERY: No.

6/26/91

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BY MR. SCHIEFER: Set up for a public hearing as soon as possible. I can't guarantee the next meeting because of the time involved.

ROLL CALL:

Mr. Petro: Aye.

Mr. VanLeeuwen: Aye.

Mr. McCarville: Abstain.

Mr. Lander: Aye.

Mr. Dubaldi: Aye.

Mr. Schiefer: Aye.

BY MR. LANDER: Well the prep garage we need handicapped parking spaces for that.

BY MR. MONTGOMERY: Do you need handicapped when there's no retail?

BY MR. LANDER: I don't know.

BY MR. BABCOCK: Sure do.

BY MR. SCHIEFER: Mike says yes.

BY MR. PETRO: There's no public coming into the building.

BY MR. BABCOCK: Still for employees.

BY MR. MONTGOMERY: I'll meet with you anyway and go over the plan.

BY MR. LANDER: You plan on putting Item Four in the back area where the cars are parked?

BY MR. MONTGOMERY: They are ready to Item Four.

BY MR. SCHIEFER: I'd put that information on the site plan, the fence information on the site plan.

6/26/91

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BY MR. MCCARVILLE: The comment was you're going to Item Four all around the building.

BY MR. MONTGOMERY: Correct.

BY MR. MCCARVILLE: Leave room for plenty of landscaping because you're not going to go right up to the lot line, are you?

BY MR. MONTGOMERY: They are going to do it around the building where they'd have the cars.

BY MR. MCCARVILLE: Which entails up to the lot line?

BY MR. PETRO: Wherever 30 cars are going to fit, it's going to be Item Four and the rest would be landscaped.

BY MR. MCCARVILLE: I have a feeling there will be some landscaping needed, so be careful.

BY MR. SCHIEFER: Consider landscaping that area also.

BY MR. MONTGOMERY: Okay.

BY MR. SCHIEFER: Any other questions, gentlemen? Okay, if not, we'll close this for this evening.

BY MR. MONTGOMERY: Thank you very much.

RESULTS OF P.B. MEETING

DATE: May 26, 1993

PROJECT NAME: George Ross PROJECT NUMBER 88-59

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M)    S)    VOTE: A    N   

\* M)    S)    VOTE: A    N   

CARRIED: YES    NO   

\* CARRIED: YES:    NO   

\*\*\*\*\*

PUBLIC HEARING: M)    S)    VOTE: A    N   

WAIVED: YES    NO   

SEND TO OR. CO. PLANNING: M)    S)    VOTE: A    N    YES    NO   

SEND TO DEPT. OF TRANSPORT: M)    S)    VOTE: A    N    YES    NO   

DISAPP: REFER TO Z.B.A.: M)    S)    VOTE: A    N    YES    NO   

RETURN TO WORK SHOP: YES    NO   

APPROVAL:

M)    S)    VOTE: A    N    APPROVED:   

M)    S)    VOTE: A    N    APPR. CONDITIONALLY:   

NEED NEW PLANS: YES    NO   

DISCUSSION/APPROVAL CONDITIONS:   

Correct Bulk Tables

Show gate + shale area for storage behind Lee Nyles

return to Work Shop

Blindtop up to fence area



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**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** GEORGE ROSS SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
**PROJECT NUMBER:** 88-59  
**DATE:** 26 MAY 1993  
**DESCRIPTION:** THE APPLICATION INVOLVES A CHANGE IN USE AND SOME  
IMPROVEMENTS TO THE EXISTING SITE AT  
268-272 WINDSOR HIGHWAY

1. This application was initially brought before the Board during 1988 and has yet received an approval. The project was discussed at length during the 25 September 1991 Planning Board meeting, at which time the Board authorized issuance of certain permits for work, while the site plan review continued.

It is difficult to maintain control over an application which is pending for 5 years. Further, it is very difficult to maintain an understanding of the specific requirements of the project, if same are discussed and recorded in the minutes, rather than documented on a site plan considered for stamp of approval by the Board. As such, I recommend that the Board require that all details of construction and other requirements be added to the site plan, directing the Applicant to diligently pursue the approval of the site plan application, such that a final approved site plan can be established for the record.

2. I have made a general review of the site plan as submitted and have the following comments:
  - a. The zoning requirements bulk table should be corrected to reflect all uses on the overall plan (since this will be the plan of record).
  - b. As noted, a minimum of nearly three (3) years ago, the bulk table values should be corrected.
  - c. The proposed limits of paving should be more clearly defined.

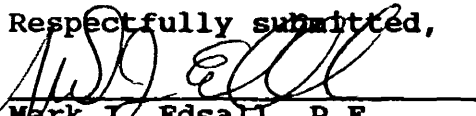
TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

-2-

PROJECT NAME: GEORGE ROSS SITE PLAN  
PROJECT LOCATION: NYS ROUTE 32  
SECTION 35-BLOCK 1-LOT 45  
PROJECT NUMBER: 88-59  
DATE: 26 MAY 1993  
DESCRIPTION: THE APPLICATION INVOLVES A CHANGE IN USE AND SOME  
IMPROVEMENTS TO THE EXISTING SITE AT  
268-272 WINDSOR HIGHWAY

- d. The use of the "existing two story framed structure" at the east corner should be clarified. This building was previously designated "existing single family dwelling" (on previous plans); why has this changed?
  - e. The Board should verify that the thirty five (35) car storage is acceptable; thirty (30) was previously discussed.
  - f. The internal double lines to the parking lot should be clearly indicated as concrete curb. In fact, it should clearly be distinguished what is existing and what is proposed.
  - g. The plan should indicate what use is proposed for the area to the northwest of the existing transmission shop and what surface finish is proposed.
  - h. The Board had previously requested a clear copy of the NYSDOT Permit. This should be submitted. If the DOT has accepted the work, a memorandum from that Department should be submitted for the record.
  - i. The Board should review with the Applicant, the proposed revisions to site lighting.
3. The Board is reminded that the auto recovery service and prep shop use is a special permit use. It should be verified that this use was reviewed as part of the Public Hearing for the project; if not, a special permit Public Hearing may be necessary at this time.
4. Once the Board reviews with the Applicant the requirements for this application and the time frame when same will be addressed, I will be pleased to make further reviews of the submitted plans.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:ROSS.mk

RESULTS OF P.B. MEETING

DATE: December 9, 1992

PROJECT NAME: Boss, George

PROJECT NUMBER 88-59

LEAD AGENCY: \_\_\_\_\_

NEGATIVE DEC: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

DISCUSSION:

Appearance cancelled by applicant (Ditchman)  
on morning of 12-9-92.

(m)

SEND TO ORANGE CO. PLANNING: \_\_\_\_\_

DISAPPROVED AND REFERRED TO Z.B.A.: YES \_\_\_\_\_ NO \_\_\_\_\_

RETURN TO WORK SHOP: YES \_\_\_\_\_ NO \_\_\_\_\_

APPROVED \_\_\_\_\_ APPROVED CONDITIONALLY \_\_\_\_\_

NEED NEW PLANS: YES \_\_\_\_\_ NO \_\_\_\_\_

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: \_\_\_\_\_

Put on next agenda



ROSS, GEORGE SITE PLAN (88-59) ROUTE 32

MR. PETRO: George Ross site plan is cancelled but Mark, you wanted to discuss something with that?

MR. EDSALL: On Ross, yes, if the board would just take note of my comment regarding Ross site plan, it's one of those projects that is effectively in limbo. There's really been no approvals, SEQRA is wide open, it's never been completed and I think that you have got to make sure that the project review gets back on target. It's not good having four year old applications that are just hanging out there without any decision on what their status is. We should try and clean it up.

MR. LANDER: He received conditional?

MR. EDSALL: I have no record that he received anything. I know that he was given permission to do certain things to clean it up.

MR. PETRO: He was going to do some landscaping, clean the pile of dirt in the back.

MR. EDSALL: My problem effectively he's received some permission to make some cleanups and he didn't follow through. It's been sitting for four years, maybe he comes in every year to see us.

MR. PETRO: He was going to do some blacktopping.

MR. BABCOCK: Whenever he gets a new tenant, he looks to then talk to us. Other than that, he never wants to talk to us.

MR. PETRO: Mike, why don't you get him to make an application for what he wants to do.

MR. BABCOCK: We did and this is apparently what happened. I talked to him several times talked to him, read the minutes to him, read them to everybody I don't know how many different guys and now that is back on the agenda tonight to get started and he--

MR. PETRO: Started for what?

MR. BABCOCK: Tenant.

MR. PETRO: Tenant, what does he have that he wants to go in, what does he need? Why is it before the Planning Board for this?

MR. BABCOCK: He doesn't have an approval for anything he's got there right now so he's got to get that straightened out but he does have a new tenant for the detail shop and they never moved in. He has a new tenant, it's automobile repair.

MR. PETRO: If he has an approval for not any one particular thing, have him make an application for a detail shop and have him come in and we'll start from ground zero.

MR. EDSALL: Or have him follow through on the application he has pending and finish it.

MR. BABCOCK: Basically you guys told him last time that there's too many things that need to be done on this property. Get a majority of this stuff done and come back to the Planning Board. Now I'm not sure how much of that majority you guys want to have done that is why I wanted him back on the agenda tonight whether it's a change of use or not and if you guys are happy with the project, we proceed. If you guys want the rest of the stuff done then we'll get it done.

MR. VAN LEEUWEN: I'd like to see him come to the board.

MR. PETRO: And tell us what he wants to actually do.

MR. BABCOCK: We'll get him on the next agenda.

MR. PETRO: If it is a detail shop, have him make an application.

MR. VAN LEEUWEN: Have him get it done once and for all.

MR. LANDER: You know that is not going to happen. This has been going on for 12 years.

MR. BABCOCK: We're not going to let anybody else open there at all.

MR. PETRO: I don't think he followed through with too much of what we discussed. Maybe some blacktopping but there was a lot more to it than that.

MR. BABCOCK: Yes.

MR. VAN LEEUWEN: Is it contaminated dirt still there?

MR. BABCOCK: That was removed.



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**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** GEORGE ROSS SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 32  
**PROJECT NUMBER:** 88-59  
**DATE:** 9 DECEMBER 1992

1. The subject application was reviewed by the Board on several meetings during 1990 and 1991. It is unclear from our records whether the application ever received approval. Further, our records appear to indicate the lack of any closure of SEQRA. In addition, our notes appear to indicate the possible need for a Public Hearing, due to a potential special permit use.
2. I recommend that this application be carefully reviewed as to its status, with the appropriate actions taken for proper processing of the same.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:ROSS.mk

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 389 Morris Hill Rd DR.  
New Windsor, NY 12550

DATE			CLAIMED	ALLOWED
6/4/82	Planning Board Meeting			75 00
	Misc - 2			9 00
	Windsor Heights - 1			4 50
	AHFS - 3			13 50
	✓ Fox River - 17			76 50
	✓ Dantas - 14			63 00
	✓ Park, Fly & Drive - 21			94 50
	✓ Bernhard - 2			9 00
	✓ Windsor Counseling - 4			18 00
	✓ N.W. Business Park - 4			18 00
	Hoggin - 6			27 00
	✓ Ross - 1 / Windsor, Fire Horse - 2			4.50 / 9.00
	Washington Green - 1 / Hilltop - 6 / Foxland - 2			4.50 / 27.00 / 9.00

A 462.00

GEORGE ROSS 88-59

MR. BABCOCK: George Ross had a site plan as you guys know down on Route 32 and basically what you gentlemen told him was that he was so far away from what his plan looked like and what the lot looked like that he should go out, do some lot preparation, get the curbs blacktopped, tanks removed, fences up, garbage enclosures, those are some of the items that I can think of off the top of my head and that the tenant could receive a building permit to start construction on that building and then he would coincide and then get a C.O. at the time of the thing. Well, of course, they never did a lot there. So basically they are calling me up now, there's a new tenant and they would like to know what has to be done so what I feel should be done now in the same building the detail building they want to do repair so what my feeling is that either the board go look at it or basically I talked to Jimmy today, we bring him in, get him on the agenda, talk to him, set up a site visit or whatever the board's pleasure is.

MR. LANDER: Is there anybody in there now?

MR. BABCOCK: No.

MR. LANDER: They are not operating there.

MR. BABCOCK: To my knowledge, no.

MR. LANDER: Let's get him in there.

MR. PETRO: That is my sentiment and that is what we should do.

MR. BABCOCK: I'll contact him and get him on the next agenda.

REGULAR ITEMS:

ROSS, GEORGE SITE PLAN (88-59) RT. 32

Paul Cuomo and Patrick Torpey and George Ross appeared before the board for this proposal.

MR. PETRO: For the board's information, on 6/21/93 we have municipal fire approval. And highway approval on 6/4/93. Also as far as the curb cut goes on June 21, I met with Don Green, this is from Mark Edsall regarding the subject application. Approvals relative to State highway 32 shown on the proposed site plan have been accepted and a permit has been closed out. Don Green advised me that I can advise the Planning Board of the same under 23 June Planning Board meeting. Which means your curb cut is okay which is a good thing being you already built it. Go ahead.

MR. CUOMO: Okay, basically what we're trying to do here is finalize this site plan. Basically what we did was there was some various items here where we had some loose ends but we tried to put gates, fences and kept existing single family house that was a comment as you just stated, the curb cut is approved and working our way back. We get into this proposed preparation shop and auto recovery service that is fenced in. On our plan it has a fence all around it, it has various fences and also it has landscaping and the proposed paved area I believe has been paved. Do you want to show them where we paved?

MR. TORPEY: The whole parking lot is paved, the only stripes that aren't done are from Lee Myles otherwise everything on the plan is exact except for the bushes.

MR. PETRO: The gates have been put in on the chain link fence over on the southern side? I see you have the gates, they are there now?

MR. TORPEY: That is exactly where they are.

MR. LANDER: Do we have fencing going around your shop?

MR. TORPEY: No, it's not called for. I've got it

going around the front of the shop.

MR. LANDER: It does have it right here on the plan.

MR. TORPEY: Optional.

MR. LANDER: It meant optional 6 foot high stockade fence.

MR. TORPEY: I'm going to put stockade up.

MR. LANDER: Doesn't mean it's optional, if you are putting it up.

MR. ROSS: I think the understanding was when we met with Mark.

MR. VAN LEEUWEN: Also no trees back there now is there?

MR. TORPEY: sure there is, I trimmed around them about two or three weeks ago just to make them seen. I have to do it again but there are trees there, they are baby trees about four or five feet. My stockade fence is going to go in front of them so the trees I wouldn't see. If I have to put a stockade fence to make sound or whatever, you know, I would do that, whatever it would take.

MR. PETRO: This site plan was sent to Orange County Planning, came back local determination.

MR. VAN LEEUWEN: Are you operating this building now?

MR. TORPEY: Not right now. I'm still working, I won't even be operating for at least another two or three weeks, even if I am approved. I still got a lot of work to do. I got the pavement done, the fencing all done, the outside all cleaned up. I just started spackeling and sheet rocking the whole inside and changing some things. I've still got a lot of work to do.

MR. PETRO: I stopped there on the way home tonight, gentlemen and I road through it quickly and I have to



say it's the best I've ever seen this site look, blacktopping is good.

MR. VAN LEEUWEN: It is all blacktopped?

MR. PETRO: Yes.

MR. TORPEY: Fence is all brand new, I'm trying to make the place look nice.

MR. PETRO: You have a marking on this site plan that should be removed. It says limits of existing pavement right there right where your hand is.

MR. CUOMO: I that should be taking that off, it is paved now.

MR. KRIEGER: And it's not proposed, proposed should be taken out.

MR. CUOMO: This is an application we're applying for.

MR. PETRO: No, the blacktop is done now.

MR. EDSALL: Why don't we just leave it like this because what they did was they proposed it. He said since we're cleaning up, go ahead and proceed on something that he is proposing. There's a lot of proposed stuff that they are working ahead on your permission.

MR. BABCOCK: At the time of the application it was proposed.

MR. KRIEGER: Before there's final approval.

MR. CUOMO: We were advised to leave the proposed on.

MR. TORPEY: It's the best way of wording it.

MR. PETRO: Striping is done on the parking spots?

MR. TORPEY: Except for in front of Lee Myles.

MR. PETRO: Existing single family house that was a

problem we had.

MR. CUOMO: It's been put back from an office structure.

MR. LANDER: What's going to be the hours of operation on this?

MR. TORPEY: I'm working from 8 to 5, I have rarely come in at night. If I get a police call and one or two o'clock in the morning, I take it home with me so I don't run up to the shop and I'm not doing any kind of serious recovery. Chances of me getting a police call at night maybe once, twice a month, if I get it late.

MR. LANDER: You wouldn't have any problems because this is a special permit, this type of use, 8 to 5 and 6 days a week normally we put restrictions on this type of business only because there's a residence. It's not 7 days a week, it's normally--

MR. TORPEY: It's still a business next door to me they still got Independent Auto over there that is commercial.

MR. LANDER: I don't know whether we must have limited his hours of operation, I have to check on that.

MR. VAN LEEUWEN: I don't believe we ever did.

MR. TORPEY: There's cars in and out of there at night looking at the cars not running into the shop I mean I'm not going to being making any noise and going crazy over there.

MR. LANDER: What I am saying only because it's a recovery service now I made the same statement at the last meeting was that we had a public hearing proposed prep shop and detailing and now we have same thing plus recovery service. Which there's enough on this piece of property now as it is so I think we're going to have to try to cut down on some of the traffic, I think Sunday should be a day of rest but I'm only one person here so that is--

MR. VAN LEEUWEN: I'm in full agreement with you.

MR. PETRO: Under your special permit we had the public hearing, we don't want to say a different use, we felt that there was enough gray area if you want to use that term, whatever you use is close enough to the public hearing use so we didn't require the public hearing. But Ron feels to be a little more comfortable with it we're going to try to limit the special permit to limit the hours of the use and you're saying that you can run this business from 8 to 5, six days a week?

MR. TORPEY: I would more appreciate 8 to 8. I clean my trucks some nights I wouldn't be there, I'd rather be on my boat.

MR. SCHIEFER: I go along with that 8 to 5 is too limiting but I would like to see it limited but 8 to 5 you need a couple hours on either side. You select it.

MR. TORPEY: Am I allowed to stay and wash my truck? I'm not a noisy person.

MR. PETRO: No business activity after is it 8 to 8 we're talking about, 7 to 8?

MR. SCHIEFER: Give him 12 hours.

MR. TORPEY: 8 to 8 would be better but otherwise that is just work but I can be there personally?

MR. SCHIEFER: I have no problem with that at all.

MR. LANDER: What we don't want is cars being towed in 24 hours a day, that is the only thing, there's a residence out in front.

MR. TORPEY: Right now, I'm doing work Saturdays, I would not like to be there either you know.

MR. SCHIEFER: Then shut off Sunday immediately, Monday through Friday or Saturday.

MR. LANDER: 6 days.

MR. PETRO: Applicant had indicated 8 to 8.

MR. SCHIEFER: That is the only objection I had.

MR. PETRO: This is not a public hearing. I'm going to remind the public it's not a public hearing. I know that you are a neighbor and you want to say one quick thing.

MR. GEORGE CHALEF: George Chalef, I live at 266 Windsor Highway. I realize this isn't a public hearing but I do have some input I'd like to offer couple concerns I have. One, living next to an automotive junk yard and I'd like to see how many cars would be stored there.

MR. PETRO: 30.

MR. CHALEF: The fence does not go all the way.

MR. PETRO: He can put a 6 foot without a variance, 6 foot without a stockade.

MR. TORPEY: I have no problem with that.

MR. CHALEF: With reference to operating at this said location this is what I have gotten so far. At May 29, I was awakened at 5:30 a.m. from dragging chains and unloading vehicles. I had a tenant complain. I have tenants in the back of there. On June 1st, I was awakened at 3 a.m. again dragging chains and tenant complaints. On June 3, I was awakened at 2 a.m. again dragging chains unloading vehicles, tenant complaints. 6/5, I was awakened at 2 a.m. dragging chains, it's heavy large chains being drug across.

MR. VAN LEEUWEN: Let me say something to you, George, we're putting restrictions on this man. Did we put restrictions on you?

MR. CHALEF: Yes, sir we have.

MR. VAN LEEUWEN: What times?

MR. CHALEF: Normal times, 6 days a week and I believe

it's 9 to 5 or 9 to 6.

MR. TORPEY: I've not been in there at night at all.

MR. CHALEF: May I continue my list? On 6/7, June 7, I hear diesel trucks idling for prolonged periods, the truck was idling from 9 o'clock to 10:30 and I nor my wife could go to sleep. 6/10, blacktopping trucks.

MR. LANDER: Wasn't mine.

MR. CHALEF: So basically without being redundant, I made my point that it's already happened, it's already happened.

MR. PETRO: Now he has a time restriction and we have one thing we have to remember this is under a special permit and it can be monitored under the permit his hours are from 8 to 8, if we get numerous complaints to the either building inspector's office or the Town Board's office or Supervisor's office, his special permit comes up how often gentlemen?

MR. EDSALL: Whatever term you set.

MR. CHALEF: 8 to 8 and 6 days a week?

MR. PETRO: Correct after that plan.

MR. TORPEY: He is going to be watching me? He is going to be my principal?

MR. PETRO: Yeah, I guess he is, is what he is telling you. If you stay within guidelines, he is going to be the--

MR. TORPEY: I can sit there and go back and forth.

MR. PETRO: Are you under special permit?

MR. CHALEF: I have a variance and my restrictions were imposed at the time of the Zoning Board of Appeals it was several years ago.

MR. BABCOCK: We can find that out, we can let Pat know

what your restrictions are and he can monitor you.

MR. PETRO: Bottom line is try to get along over there, it's 8 to 8, 6 days a week and hopefully there won't be any problems but you're under special permit.

MR. VAN LEEUWEN: Are you going to be selling used cars there?

MR. TORPEY: Am I allowed to?

MR. VAN LEEUWEN: Are you going to be selling used cars?

MR. TORPEY: No.

MR. VAN LEEUWEN: Neither is he, he's not allowed to be selling used cars there, that is the point I'm bringing up.

MR. PETRO: I was told that he is allowed for two or three cars there.

MR. VAN LEEUWEN: I must be getting old.

MR. PETRO: Am I correct?

MR. CHALEF: I believe so, yes, I'd like to thank the board for their time at this point.

MR. PETRO: Any other questions for the applicant? I think he's addressed everything we need to make a couple determination, such as number 3.

MR. TORPEY: That means under no circumstances after 8 o'clock I can't drop a car off there?

MR. PETRO: And be seen. Number 3?

MR. VAN LEEUWEN: I make a motion we declare negative dec.

MR. LANDER: Second it.

MR. PETRO: Motion has been made that the New Windsor

Planning Board declare negative dec on the George Ross site plan on Route 32. Any further discussion? Roll call.

## ROLL CALL

MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE

MR. PETRO: As far as the time on the special permit, use permit, does anyone have a time period that would be I think we should set it?

MR. VAN LEEUWEN: 8 to 8.

MR. SCHIEFER: He means the length of the permit. First year.

MR. BABCOCK: Normally on something like this unless there's a problem, we can call him at any time and have him come in front of the board so if there's an ongoing problem there that I get complaints I'll let you know and we'll call him in front of the board to have him come back every year unless there's problem I don't think that it is necessary unless the board does.

MR. PETRO: Planning Board should require that a bond estimate be submitted in accordance with paragraph A1G of Chapter 19, you can take care of that with Myra. Other than that seems I have all the approvals in front of me. The only outstanding item I would say is the 6 foot stockade fence and I can make stamping of the plan subject to that. Is there any other discussion?

MR. EDSALL: That is part of the C.O.

MR. BABCOCK: We're going to make sure that this project is complete before he gets a C.O. to operate or a bond be put in place like we would normally do before that.

MR. VAN LEEUWEN: That is what I was just going to suggest about five minutes, why don't we wait when this

*Spec. Permit*

whole thing is done then approve it or let Mike give him a C.O.

MR. BABCOCK: We have the situation right now thats--

MR. TORPEY: Fence is optional, it doesn't have to be up right away.

MR. SCHIEFER: Type of fence is optional.

MR. TORPEY: It has to be up.

MR. VAN LEEUWEN: Yes.

MR. TORPEY: I got the fence, I just didn't put it up.

MR. VAN LEEUWEN: Put it up and you'll get the C.O.

MR. TORPEY: I'm getting broke, I haven't been in business for a month.

MR. PETRO: This applicant has been before the workshop twice and he's been to his third meeting and I know he, that he is dying to get going, just has to put the fence up when he can bond it, I'd hate to hold him up and our next meeting is the 21st of July.

MR. TORPEY: I want that fence more than you want it.

MR. PETRO: Unless there's something drastically wrong, I'd like to give this final approval.

MR. VAN LEEUWEN: You know what he Jimmy, why don't you give him 60 days to finish up the fence, how is that?

MR. EDSALL: Hank, we have applicants who have a lot more work to do than that and we have a bonding procedure we hold up the C.O. that is more important.

MR. TORPEY: I'll put the fence up higher to keep him quiet.

MR. BABCOCK: If the board members seen the project today, how much farther along it's been today than ever.



MR. SCHIEFER: It's never looked as good as it has.

MR. TORPEY: I'm trying to get the fence guy to get it up.

MR. BABCOCK: We're not going to give him a C.O. to operate the business unless this is either up or bonded.

MR. VAN LEEUWEN: I'll make a motion to approve.

MR. SCHIEFER: I'll second it.

MR. LANDER: I think what Henry is saying he will give you 60 days you can get the C.O. he will give you 60 days to put the fence up.

MR. PETRO: There's no reason for the Planning Board to hold him up, we can give him approval and Mike can--

MR. PETRO: Motion has been made.

MR. EDSALL: On your approval motion I hope that you would add as conditions that they have to add the hours of operation, days of operation, that they have to remove the word optional for that fence and that they have to correct building number one and building number two heights which remain incorrect.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant approval to the George Ross site plan subject to optional on the 6 foot high stockade fence be removed, heights on a building one and two be noted and the hours of operation also be added to the plan from 8 to 8, 6 days per week Monday through Saturday and that will be added to the plan. Other than that, any further discussion from the board members?

ROLL CALL

MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE

June 23, 1993

31

MR. VAN LEEUWEN      AYE

ROSS, GEORGE SITE PLAN (88-59) RT. 32

Mr. George Ross and Mr. Patrick Torpey appeared before the board for this proposal.

MR. ROSS: I have never made a presentation.

MR. PETRO: Put one up on that board there. For the board members information, municipal fire has been approved on 5/19/93. Just tell us what you plan on doing here while you're here.

MR. ROSS: Since the last time that we were here, which was October, 1991, and the recommendations were made at that time, I had this area dug up to have the tanks removed and that has been done and re-paved. We put the curbing in and the plantings along the side and the necessary fences and I had the lights put in that would light the lot so it is just been basically updated on the same map. I brought some pictures along to show because I think we were talking basically about cleaning up a lot of property, the curbs and the fences.

MR. PETRO: Pat, you wanted to move into the rear building basically that is what we're here for tonight that is the major--

MR. TORPEY: Yes.

MR. PETRO: Prep shop auto recovery services, we had something like this before for another user and we went on a site visit there also.

MR. BABCOCK: This building was they came in and they asked to put a detail shop in this building and the board at that time when they asked that said they can go ahead and get a building permit to start doing renovations in the building but before a C.O. is issued, they'd have to do the required site work. And the Planning Board laid out some of the areas that they wanted done which was some blacktopping, some fencing, some curbing and so on and so forth. And that apparently that company never took off and decided to come in for a C.O. and now we have a new company that

would like to get a C.O. so what they have to do is meet the requirements of the Planning Board.

MR. TORPEY: Everything's met except for the handicapped parking in front of my shop.

MR. LANDER: What has to be done there, Mike. Have you made a site visit on this application?

MR. TORPEY: I've got a fence coming in tomorrow to be fenced.

MR. BABCOCK: We never got a final approved site plan to come up with a total list of exactly what was supposed to be done.

MR. LANDER: This has always been conditional.

MR. BABCOCK: The Planning Board at one point in time if you remember I think you were on the board at the time they asked Mr. Ross to go out and do some of the work, get some work completed and then once he had a certain amount that he felt was acceptable, then he should come back and return to the board and then the board would make a determination to approve the site plan. Right now, we do not have an approved site plan for this property at all. So we have the new rules and regulations as far as site plan private improvement bonds and what we did do is get a bond estimate on this project or if the board feels some other items have to be complete first.

MR. PETRO: Before we even get any further, I'd like to look at item number 3, have you had a chance to read Mark's comments at all? We're going to go over them now. On number 3, the board is reminded that the auto recovery service and prep shop use is a special permit use it should be verified that this use was reviewed as part of the public hearing for the project. If not, a special public hearing may be necessary at this time. Now, my question is was there a public hearing on this project that it was never approved obviously but was there a public hearing and was the special permit use discussed?

MR. EDSALL: There was a public hearing back in September of '91.

MR. PETRO: We have it in here, okay.

MR. EDSALL: I'm not sure if it was a site plan public hearing or special permit use was discussed.

MR. ROSS: I think it was simultaneous at the time because we had tied in the curbing.

MR. EDSALL: Well, yeah, you can have a public hearing and you can have that simultaneous but if the use that is proposed when the public hearing was held was not a special permit use then the use wasn't--

MR. ROSS: Basically for a car service.

MR. EDSALL: If it is for the same use that is fine.

MR. LANDER: I think that we have to verify whether it was for the Mexican restaurant or for the prep shop.

MR. PETRO: It was after the restaurant.

MR. LANDER: There's been so many meetings on this dating back to '88.

MR. PETRO: I have the minutes in front of me.

MR. TORPEY: I stayed on the whole thing, everything is done except for the handicapped parking, I went through the whole place over the weekend and really went through it.

MR. PETRO: I have the minutes from that 1991 meeting and Mr. Montgomery was making the presentation, I just want to read this. When I last stood in front of you I went over the site plan, it's a continuation of a site plan to get property completely once and for all, it's a multiple use building on the property, when I went for at the time I went for sales there's no distinction in your zoning between wholesale and retail sales but a contingency that we have a fenced in yard around the back of the building with the storage for 35 cars. I

think that the public hearing it's a special use, I mean I think that the public hearing did encompass the use it seems to me.

MR. EDSALL: I found a plan back from August of '91 which was the plan that was reviewed at the public hearing and the reference use for the same building proposed prep shop and service which is very similar so in fact if it is acceptable to the board, that public hearing can be used for both, nothing has really changed.

MR. LANDER: I know what a prep shop is. What's an auto recovery service, what's that?

MR. TORPEY: Towing, we tow for the police departments recovery.

MR. LANDER: So you are telling me all these parking spaces are here, all the shrubs are done on the side and rear?

MR. TORPEY: We have pictures. The place looks a hundred percent better than it ever did.

MR. PETRO: The proposed limits of paving should be more clearly defined on the map also the zoning requirements the bulk tables should be corrected to reflect all uses on the overall plan. Paul, I guess Paul, you should probably pay attention to this. The zoning requirements bulk table should be corrected to reflect all uses of the overall plan since this will be the plan of record. The bulk tables value should be corrected. And the limits of paving should be more clearly defined on the map.

MR. DUBALDI: I'm a little confused, is he asking for final site plan approval or is he asking for another kind of partial approval as we have been doing for over the past five years? I think we should get this final site plan squared away. I'd like to see everything on the site plan.

MR. PETRO: This particular applicant is for the prep shop.

MR. TORPEY: We want to close up the whole deal.

MR. ROSS: This is the map that shows where the lights and curbing has been in.

MR. DUBALDI: As long as you're telling me that everything has been done.

MR. ROSS: Yes, it's been done.

MR. PETRO: We're asking at this time the whole, let's not make any mistakes about it.

MR. TORPEY: We're waiting on basically just the paving in the front, how much do they want, do you want enough for parking spots? Really nobody is going to park here.

MR. DUBALDI: Everything else on this plan has been complete?

MR. TORPEY: Yeah.

MR. PETRO: That is a good point we're not talking about the shop in the back. Where is the paving now, we don't know where the paving goes now?

MR. ROSS: Where the lines are is where it's all paved.

MR. PETRO: Where does the pavement end?

MR. ROSS: I'm not sure, blacktop might just have to go to here.

MR. PETRO: What we need is to show us where the blacktopping exists, blacktopping has to be shown on the plan where it already exists and where it is required. In other words, all this is blacktopped?

MR. ROSS: Yes, this is existing and this is where the new blacktop is going to go and they had wanted to see a green area at that time in front of the restaurant.

MR. PETRO: He's saying it goes right up to the

fencing, this line here.

MR. DUBALDI: Just show what you're going to pave.

MR. PETRO: Can you add some light on this paving problem please?

MR. EDSALL: Well, to my understanding, the area in front of the proposed prep shop is not paved at this time. The spaces that are shown there should be paved and as well there's got to be pavement all the way to the building because you've got a handicapped access route. It would be my suggestion to the board that everything forward of the building line and the fence line should be paved and the areas toward the rear to the right are shown as being Item 4 but I don't know what the enclosed area of the fence to the west is up in that top left corner. So it's not clear.

MR. ROSS: This is all shale and item 4.

MR. PETRO: All that should be put on the plan that it is.

MR. EDSALL: If that top left area is going to be all showing shale and it's going to be vehicle storage area it should be called out as vehicle storage area so we know what the board is approving.

MR. PETRO: What's your plans for this area?

MR. ROSS: That is behind the fence so it is for storage of cars.

MR. PETRO: So you have to put that there on the plan label it as such, shale and car storage area as it stands now, he's trying to get 35 cars in this area. I'm saying divide it, put that over there also.

MR. EDSALL: If that is going to be a vehicle storage area there would have to be a gate so you can get at it unless there's a back door through Lee Myles.

MR. ROSS: Where is the gate most convenient for you.



MR. PETRO: Take it back and you design it, we'll tell you what it needs or what our opinions are.

MR. TORPEY: I want to put a gate here and here.

MR. PETRO: How do you get into this area here?

MR. TORPEY: That is Lee Myles.

MR. PETRO: You're not using this area then that whole area is with Lee Myles?

MR. EDSALL: I thought we were reviewing a site plan not one building.

MR. PETRO: I understand that so where is the gates into Lee Myles, that is what they are saying.

MR. ROSS: Right here.

MR. PETRO: You have a completely landlocked area there also show what's on the ground, the shale and what is it used for, what's this area used for.

MR. ROSS: Storage.

MR. PETRO: You have it on the map?

MR. DUBALDI: Didn't we require landscaping on the entire left-hand side now I see nothing is being shown there.

MR. LANDER: Do we have an old plan?

MR. PETRO: We do have all the minutes here. Let's get to the, we'll get to that, it's a good point, I know there's a stream over there, let's stay under Mark's comments, it's getting so complicated, we'll come back to that. You have six or seven more comments here. On the use of existing two story frame structure on the east corner should be clarified, this was previously designed to be existing single family dwelling. Why has that changed?

MR. ROSS: I just described it as it is because it's

commercial building, I just didn't want to be locked in into any particular, so I want to resurface the whole thing, possibly have it rented as an office space.

MR. DUBALDI: Now you're changing it from residence to commercial.

MR. EDSALL: All previously plans did call it out as a residential building.

MR. ROSS: But the property has always been commercial.

MR. BABCOCK: The problem that you have is once it's a residential building and it's a one family you need 2 parking spaces. If you are going to call it out to be a commercial building such as office, there's a regulation for parking for office building. If you are going to have a retail store there, it would be a different regulation. We no problem with the use of the building changing. We need to know what the use is going to be so we can regulate the parking and so on for that use.

MR. ROSS: I don't have any plans at this point.

MR. EDSALL: The State Law also recommends that as a change in use you need to modify for handicapped accessibility you have comply with the building code as a conversion. It doesn't matter if the building is on a commercial site, if it is residential. State Law if you change the use it's a change of use so again that is a concern to the board.

MR. ROSS: In the future, if that is done which I don't know if I will or not, I have a large back yard there which would more than provide the parking spaces.

MR. EDSALL: That would be a site plan change, you'd have to come back.

MR. ROSS: I understand that.

MR. EDSALL: I would think if it is now a residential building that is how you have to call it out.

MR. ROSS: Okay.

MR. PETRO: Board should verify that the 35 car storage is acceptable.

MR. EDSALL: I'm just verifying because I went through the minutes and the board said 30 and the plan says 35.

MR. PETRO: I think we in the old minutes from 1991 we were talking about 35 at the public hearing so I think that is a minor enough point.

MR. EDSALL: Went back and forth.

MR. PETRO: Internal double lines through the parking lot should be clearly indicated on concrete curb in fact it should clearly be distinguished that it is existing. That is self-explanatory and just needs to be done.

MR. ROSS: I'm not sure what you mean by that, that painting.

MR. EDSALL: No, the front area you call out double lines as being either concrete curbing or existing curbing I just want to verify that.

MR. BABCOCK: Which it is?

MR. EDSALL: If it is curbing, fine, I can't tell from looking at this plan what's proposed.

MR. ROSS: That was put in at the time.

MR. EDSALL: I'm talking about this right here and this right here.

MR. LANDER: What you're referring to if I can, if I can maybe clear this up is where the dumpster area is is shown outlined as curbing.

MR. EDSALL: And around the landscaping and around the handicapped parking spaces.

MR. LANDER: There's no curbing there that is what I

think you're referring to.

MR. EDSALL: I have to be candid with the board. I have a real hard time reviewing applications by photos, by 5 year old discussions, and it's real tough for Mike and I to review a site plan for compliance when we don't have a stamped site plan.

MR. PETRO: Did the applicant come to the workshop?

MR. EDSALL: Yes, there's comments that date back two years on really what we need is the board this thing has been open for some long, I don't know what the board wants. I think we've got to establish what the board wants and we can carry it through at the workshop.

MR. PETRO: I think the board wants for the site plan to be reviewable with not all these housekeeping problems like internal double lines, fenced areas that don't even have gates, and we don't know where to blacktop. You have parking spaces drawn on areas that aren't even marked up so we're reviewing the whole site unfortunately for you because the site plan has never been approved. You have an existing 2 frame structure that is for a residential home now it's a framed structure for commercial use with two parking spaces. I don't know how we're going to get away from that two parking spots so I think what we'll do is get back to the workshop, get I would say at least 8 of the 10 items cleared so we can review it. There's too many housekeeping problems and we can't sit here and design this for you.

MR. ROSS: I understand, that is why Paul is here.

MR. PETRO: Paul's going to have to sit and get it straightened out at the workshop and this George frankly this and I'm not trying to rough you up or anything but this fancy stuff changing it from a residential area to an a framed structure obviously for commercial use is not going to fly because you have 15 other maps that shows it as a--

MR. TORPEY: Why couldn't it just stay the way it was?

MR. PETRO: He's preparing for the future but it's going to hold up the whole application, it's a minor thing but Mark picks it up. It's not minor to the Town of New Windsor. It's minor to you. Get the blacktopping in, it's very minor area.

MR. SCHIEFER: Why don't you tell them how much blacktop we want.

MR. PETRO: Seems to me that it should be right up to the fenced area and I think from what Mr. Ross had said it does other than these parking spots. He has also a little oil and chip in the corner, I don't think the board has a problem but parking spots have to be defined but the plan is not right. It's not adequate and again for like I just said, to have a fenced in area with no gates we've got to get that kind of stuff cleared up and the last thing before we said the landscaping on this south side we do have the minutes I would suggest some landscaping be put over here. We'll go through the minutes, Mark, can you doublecheck that and find out?

MR. EDSALL: I looked at a couple old plans, I didn't see any along there. If the board wants why don't you just clarify.

MR. ROSS: That I had discussed with Ron once, I went over to his place because we're neighbors on both sides and there's natural green here and he planted on one side of the stream and it has just become overbearing and we felt that it was, Ron felt it was green enough.

MR. LANDER: Well, let's say this, George, I had, if you remember correctly, I said behind the transmission shop up in the corner there it was all green vegetation there, you can see that but behind the restaurant and stuff I think that we had discussed that you were going to plant in there, if memory serves me right up to this fence here. Now what's the date on your plan, Mr. Chairman?

MR. PETRO: This one is May 18, 1993.

MR. LANDER: This says September 12, 1990, I don't see any visions on it.

MR. PETRO: You're the engineer, come up with a little landscaping on the side here, something that we can hang our hat on. We're not going to sit and design, it's going to be three foot shrubbery.

MR. TORPEY: Entrances for gates, gravel, blacktop.

MR. PETRO: These are just some housekeeping, I want you to get back with Mark at the workshop, you see all these here, this is too much, this is not something we're going to together sit here and decide all this stuff, it's crazy.

MR. TORPEY: Will this stop anything of maybe just getting temporary C.O. for me, would that block me up or anything, my section, my section is done I will have my fence in tomorrow.

MR. PETRO: Unfortunately, it's still on this site and the site plan is not done, there's nothing that is complete on here. That is like taking Stewart Airport and get one hanger approved and you have the rest of the airport.

MR. DUBALDI: We have been dealing with temporary things for since I have been on the board in the last 3 1/2 years, this is one site plan now if he wants to cut this lot up and make it, I'm not trying to downplay the importance, I'm sure you have to make your living like everybody else but we have a responsibility here to plan.

MR. ROSS: We had gone in separately.

MR. DUBALDI: This is all one lot we have to look at everything on the map. Everything has been done temporary, I think we've done a lot and I think we've come a long way with you but we have a long way to go.

MR. PETRO: I have to agree with Carmen on this, if we give you a C.O. to go in there and work, I'm not even sure legally we could then there's no reason for Mr.

Ross to come back again and this is what's happened time and time again, once the Mexican restaurant got functioning.

MR. TORPEY: I'm going to see that it gets done.

MR. PETRO: I think the bottom line here this site plan needs to be addressed.

MR. ROSS: We had gone in for a restaurant here, it was a pizza restaurant and we had gotten approval and the last time around there was a comment, I don't think that gentleman is on the board any longer and he said I'd like to group the whole thing together as one rather than say have your approval here and let's have the approval for everything at once so the restaurant was existing, Lee Myles is existing, this I'll put back as a single family and we had had the approvals so the people can go ahead who had economic problems.

MR. PETRO: The board has previously requested clear copy of New York State DOT permit, this should be permitted. If the DOT has submitted the work a memorandum should be submitted for the record. We don't even have major components of a site plan. So get together at a workshop, get this stuff clarified and you can be on the next agenda. It's in two weeks and if everything is in order, we welcome business, I mean we want to see him in there as much as the next guy but this plan has to be something that we can file and hang our hat on and obviously this won't work. It will not work. I'm very pro business, sometimes too much, I like to get stuff moving and have it done but there has got to be more than that. Get this out so that comment doesn't even exist that comment should not even be in here. Get in touch with the DOT.

MR. ROSS: I had the DOT approval with that engineer Lanc & Tully when this was all put in and the curbing and the Planning Board had seen to that.

MR. PETRO: We don't have it if you have it that is fine.

MR. BABCOCK: Why don't we suggest that if that is your

suggestion we'll straighten out these comments at the workshop, whether we have the file there and we can straighten out the paperwork as far as the DOT that is a minor issue.

MR. PETRO: That is exactly what I want to do. You did make progress tonight, you do not need to come back for a special permit public hearing that would have taken you have no idea how long. We did get some comments for us that you can hang your hat on unfortunately the plan is not correct and we cannot go any further. Now, am I speaking on behalf of myself or the other board members feel the same?

MR. LANDER: Speaking for myself, before it was a prep shop clean cars get them ready to go to the auction, I don't think because I can't remember that meeting on the special permit how many people were here but we have recovery service now, it's my feeling that I mean we're going to have vehicles in here, does it make a difference I don't know that I don't know if it makes a difference to anybody.

MR. TORPEY: I'm still doing auction work.

MR. LANDER: But before there was nothing mentioned about recovery service.

MR. TORPEY: I used to tow all their cars in there.

MR. ROSS: He just picks up the cars and if they'd park overnight illegally they come and pay their fine and take their car back.

MR. TORPEY: I do less pickups, I do bank pickups, I get the cars ready and I bring them to the auction.

MR. LANDER: That is only my feeling it was a prep shop now we have recovery service.

MR. MR. TORPEY: It's changed because the guys--

MR. LANDER: Little more traffic but I'm only one person so.



MR. SCHIEFER: This isn't going to be constructive, when we have got this many businesses on one site you always have problems. I'd like to see the whole thing straightened out.

MR. PETRO: The point that Ron is getting at he'd like to see another public hearing.

MR. SCHIEFER: I don't know, I've got to listen extra carefully because he's next door, he knows what's going on there. He's not only speaking as a member as someone's that is effected by what's going on there.

MR. LANDER: Let's say it's not effecting me as far as it is Mr. Schaff (phonetic) who's right next door, he might not have a problem with it either.

MR. SCHIEFER: Rather than go through a public hearing is there any way we can find out whether the neighbors because I'd hate like heck to go back to a public hearing if you don't object and the other neighbor didn't object, I don't object.

MR. TORPEY: The other neighbor is going to object, he used to rent over there.

MR. ROSS: He's doing car repairs that is why we put the shrubs here.

MR. PETRO: I think he's buffered pretty good.

MR. TORPEY: I'm putting a stockade fence up.

MR. PETRO: Cars are repaired on the other side of him?

MR. SCHIEFER: You're competing with him.

MR. ROSS: We're not competing.

MR. PETRO: We did have a public hearing, the use is very similar.

MR. SCHIEFER: I don't think I want to go back to a public hearing, if there's any way we can avoid it.

MR. LANDER: I figured I'd throw it out, see what the rest of the board felt and go from there.

MR. SCHIEFER: The side where the other neighbor is there's shrubbery that has hidden your the neighbor on the other side and you don't seem to object based on that.

MR. PETRO: I guess if there's not going to be a public hearing, get back to the workshop and come in with a plan we can work with. Mark, do you have any extra comments?

MR. EDSALL: We gave a copy to him.

MR. CUOMO: I have a set.

MR. BABCOCK: You don't have any objection of the ongoing work on the project to update it with the fences?

MR. PETRO: No, I don't think the board does no.

MR. MR. TORPEY: How much am I going to do if I find out I ain't going to--

MR. BABCOCK: They have no objection if you continue to upgrade.

MR. PETRO: Before you leave, I'll speak again for myself I don't believe that the board has a problem with the operation that is going there, it's the site plan has to be brought up.

MR. TORPEY: I don't want to blow all kinds of money.

MR. PETRO: It has to come up to standards and I don't think there is a problem with the business going in there.

MR. BABCOCK: The board is telling you that as long as you comply with these things they are going to approve it.

MR. SCHIEFER: I think you're right, Mike.

May 26, 1993

26

MR. TORPEY: Have a nice night.

-----X

George Ross P.B. #88-59

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1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

August 14, 1991

Mr. James Douglas Montgomery  
7-11 W. Main St.  
Middletown, NY 10940

Re: Tax Map Parcel 35-1-45  
Owner: Ross, George

Dear Mr. Montgomery:

According to our records, the attached is a list of all properties contiguous to the above mentioned property.

The charge for this service is \$25.00, which you have already paid as your deposit fee.

Sincerely,

*L. Cook/cad*

LESLIE COOK  
Sole Assessor

Lc/cad  
Attachment  
cc: Myra Mason

Chaleff, George S. & Fraser, Gales ✓  
266 Windsor Highway  
New Windsor, NY 12553

Lander, Francis A. & Clara ✓  
278 Windsor Highway  
New Windsor, NY 12553

Sac-Tac Inn, Inc. ✓  
30 Quassaick Ave.  
New Windsor, NY 12553

Martinisi, Sabatino & Jennie ✓  
273 Windsor Highway  
New Windsor, NY 12553

Above 5 Notices ..... 5

Plus

Mark Edsall  
Andrew Krieger } 5 .....  $\frac{5}{10}$   
Pauline Townsend }  
George Green } Notices sent 8/16/91 @

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on September 11th 1991 at 7:30 P.M. on the approval of the proposed Site Plan of George Ross located at 272 Windsor Highway. Map of the Site Plan is on file and may be inspected at the Town Clerk's Office, Town Hall, 555 Union Avenue, New Windsor, New York prior to the Public Hearing.

Dated:

August 6, 1991

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

Carl Schiefer

Chairman

23793

Permit No. 88-90-3793

Est. Compl. Date 12/05/90

SH No. 9032

Deposit Rec. for \$1000.00 ONLY

Expiring 11/24/91

Dated 10/17/90

## HIGHWAY WORK PERMIT

Municipality — NEW HINDSOR

Route # — 32

Return of Deposit Made Payable to:

(Complete if different from Permittee)

Montgomery &amp; Ross

P.O. Box 2127, 7-11 W. Main St.

Middletown, N.Y. 10940

Charge to Bond No. (\$ 0.00)

or Undertaking on File

Workmen's Compensation

Policy No. 800 689-2

Return of Deposit Made Payable to:

(Complete if different from Permittee)

Montgomery &amp; Ross

P.O. Box 2127, 7-11 W. Main St.

Middletown, N.Y. 10940

Charge to Bond No. (\$ 0.00)

or Undertaking on File

Workmen's Compensation

Policy No. 800 689-2

Return of Deposit Made Payable to:

(Complete if different from Permittee)

Montgomery &amp; Ross

P.O. Box 2127, 7-11 W. Main St.

Middletown, N.Y. 10940

Charge to Bond No. (\$ 0.00)

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Workmen's Compensation

Policy No. 800 689-2

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:  
 1. Excavate, grade, or otherwise alter the highway right-of-way as per drawings. All disturbed areas within State R.O.W. are  
 to be properly seeded, and mulched.

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. IN ADDITION, ANYBODY WORKING IN  
 THE RIGHT OF WAY IS REQUIRED TO WEAR A HARD HAT AND A REFLECTIVE SAFETY VEST.

County — ORANGE Municipality — NEW HINDSOR Route # — 32

as set forth and represented in the attached application at the particular location or area, or over the routes as  
 stated therein, if required, and pursuant to the conditions and regulations whether, general or special, and methods  
 of performing work, if any, all of which are set forth in the application and form of this permit.

Dated at, NEW HINDSOR, N.Y.

Commissioner of Transportation

Dean Signed 11/07/90

JOHN J. NICOGNA

*John J. Nicogna*

IMPORTANT: This permit, with application and drawing (or copies thereof) attached shall be placed  
 in the hands of the contractor before any work begins.

NOTICE: Before work is started and upon its completion, the permittee absolutely must notify the Resident Engineer,  
 WILLIAM BAIN, 112 DICERON STREET, NEW HINDSOR, NEW YORK 12554.

UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED AND SIGNED BY THE PERMITTEE AND  
 RETURNED TO THE RESIDENT ENGINEER.

Work authorized by this Permit was completed on (Date) \_\_\_\_\_

Refund of deposit or return of bond or reduction of amount charged against bond or deposit on file for this permit  
 whichever is appropriate, is requested.

PERMITTEE AUTHORIZED AGENT (IF ANY)  
 Upon acceptance of work performed as satisfactorily completed, the Resident Engineer will sign the following and  
 forward to the Regional Office.

Work authorized by this Permit has been satisfactorily completed and is accepted. (Reverse side of this form must be  
 signed by the Resident Engineer.)

RESIDENT ENGINEER

The Regional Office will forward this form to the Main Office with the supporting data checked.

## HIGHWAY PERMIT SECTION

Refund of Deposit on this Permit is authorized.  
 Return of Bond furnished for this Permit is authorized.  
 Amount charged against Blanket Bond for this permit may be cancelled.  
 Permit Bond for future permits.

REGIONAL TRAFFIC ENGINEER

The issuing authority reserves the right to suspend or revoke this permit, at its discretion without a hearing or the  
 necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under  
 the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or  
 disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the  
 Department of Transportation.

Upon completion of the work within the state highway right-of-way authorized by the work permit, the person, firm,  
 corporation, municipality, or state department, agency, (and his or its successors in interest) shall be for  
 reimbursement and repair of such work as set forth within the terms and conditions of the work permit.



**PREVIOUS  
DOCUMENT  
IN POOR  
ORIGINAL  
CONDITION**

# ACORD CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

10/22/90

## PRODUCER

R.G. Hill Agency, Inc  
Marshall & Sterling, Inc.,  
Two Executive Drive  
New Windsor, NY 12553

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND  
CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE  
DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE  
POLICIES BELOW.

## COMPANIES AFFORDING COVERAGE

COMPANY  
LETTER A Royal InsuranceCOMPANY  
LETTER BCOMPANY  
LETTER CCOMPANY  
LETTER DCOMPANY  
LETTER E

## INSURED

Hanover Inc./Castile Enterprises, Inc.  
Tuthill Road  
Blooming Grove, NY 10974

## COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD  
INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS  
CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS,  
EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
<b>GENERAL LIABILITY</b>					
X X	COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR. OWNER'S & CONTRACTOR'S PROT.	GSP-155257	4/24/90	4/24/91	GENERAL AGGREGATE \$ 2,000, PRODUCTS-COMP/OP AGG. \$ 2,000, PERSONAL & ADV. INJURY \$ 1,000, EACH OCCURRENCE \$ 1,000, FIRE DAMAGE (Any one fire) \$ 50, MED. EXPENSE (Any one person) \$ 5,
<b>AUTOMOBILE LIABILITY</b>					
	ANY AUTO				COMBINED SINGLE LIMIT \$
	ALL OWNED AUTOS				BODILY INJURY (Per person) \$
	SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	HIRED AUTOS				PROPERTY DAMAGE \$
	NON-OWNED AUTOS				
	GARAGE LIABILITY				
<b>EXCESS LIABILITY</b>					
	UMBRELLA FORM				EACH OCCURRENCE \$
	OTHER THAN UMBRELLA FORM				AGGREGATE \$
<b>WORKER'S COMPENSATION</b>					
	AND EMPLOYERS' LIABILITY				STATUTORY LIMITS EACH ACCIDENT \$ DISEASE-POLICY LIMIT \$ DISEASE-EACH EMPLOYEE \$
<b>OTHER</b>					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

## CERTIFICATE HOLDER

Montgomery & Ross  
7-11 West Main Street  
PO Box 2127  
Middletown, NY 10940

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE  
EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO  
MAIL \_\_\_\_\_ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE  
LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR  
LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

GEORGE ROSS SITE PLAN (88-59) ROUTE 32

Mr. Paul Cuomo and Douglas Montgomery came before the Board representing this proposal.

MR. CUOMO: This is Mr. Montgomery, he is going to do the presentation, he is going to take over and explain.

MR. MONTGOMERY: I am a managing partner for all of George Ross's properties including this property. I'm a real estate broker and I am taking over everything including the redevelopment of this property. I took over four months ago when there was another tenant in there, Joe Lorenzo, Joe Lorenzo's Pizzeria. What has happened in the past is I put the property for lease and I have some tenants interested right now. I have one lease signed for 20 years for the front building which was Joe Lorenzo's Pizzeria. At the time 4 months ago, when I had that for lease, I thought because of what the establishment was there that it was a C-5 sit down. There were tables in there. I thought that he had gotten approvals which he never did and Mike informed me of that. So, at that point, I came back. I went to Paul Cuomo's office and started the redevelopment of the property.

It's basically going to be two stages. I am going to use the front approximately half of the property as the showcase of the property which will be basically headed toward a retail/office. Retail now because that is the proposed restaurant. I also have a house in the other corner which will remain a house presently. What is going to happen with the restaurant, they have, they started doing work before I was notified it was not C-5. They have done a nice job to it. They have put a lot of their money and sweat equity into the building. The lease stated that they were responsible for getting the approvals because at the time, I believe it was C-5 useage but I am looking for long term tenant and I know they can do it. I have looked at the inside of what they have done with this building and I think they can make it although they are short on cash which is why I am trying to get this done as soon as possible.

What I am going to do with the front of the property as you see is establish one curb cut. I have spoken with Don Green regarding what he wanted and this is the plan that he suggested to me. The one entrance 30 feet wide with the shrubbery of course making the property look a little bit better. Then, we are going to develop the property surrounding the Mexican restaurant which is the paving over the existing paving which is the past tenant did do so, there's a little bit of paving down which we plan to do in front of the front half of the property, make it all paved, landscaped and behind the restaurant between the restaurant and the existing transmission shop, I will put a stockade fence to code which will give a little bit of separation

between that kind of work and my retail frontage. I have somebody looking at the back existing office space but there's no lease signed for that now. So, that will come up in the future. I am telling you now it's going to be coming up in the future.

MR. MC CARVILLE: Is that vacant?

MR. MONTGOMERY: Yes.

MR. VAN LEEUWEN: How about the transmission place, how much longer?

MR. MONTGOMERY: Right now, month-to-month.

MR. VAN LEEUWEN: He's a slob.

MR. MONTGOMERY: He's a slob but again because of the state of the property, I have to have some kind of cash flow coming in in order to make the repairs and he will not be there when the property is fixed. Because of that, I have had a lot of complaints from various people including actually anyway so what I am asking you to do is look at my plans here with the black-topping, it specifies the lighting, specifies all you need to know and grant the first stage, my approval for the first stage, get this going. I'd like to get most of this done before the winter. And when another tenant, if I do get another tenant for the back building comes in, he will come in on a separate map and approval process.

MR. VAN LEEUWEN: You got to keep it on the same map.

MR. MONTGOMERY: Extension of this down the line but this is my beginning plan for the property, redevelop it.

MR. SCHIEFER: You say you propose this as a Mexican restaurant?

MR. MONTGOMERY: Correct, right now it's been designed as a restaurant. They have done most of the work right now before they were informed that it was not to be continued. There is enough spaces, about 8 extra I believe four.

MR. LANDER: For the sit down restaurant those calculations were made for sit down restaurant?

MR. MONTGOMERY: Correct.

MR. SCHIEFER: You want to go down and take a look?

MR. MC CARVILLE: I'd like to walk it again.

MR. VAN LEEUWEN: If he's willing to work with us, why shouldn't we work with him. Let's get it cleaned up. We have been looking to get it cleaned up for a long time. If this man is

going to do anything, let's get it cleaned up. It's better for Ronnie, better for everybody. It's unsightly the way it is now. You can't make it any worse than it is.

MR. MC CARVILLE: I guarantee there's no less than seven unregistered cars on that parcel now as far as I'm concerned until every unregistered car is taken off the parcel, I don't want to entertain it. How many unregistered cars are on the parcel?

MR. MONTGOMERY: I'm not sure. They are all Bruce's.

MR. MC CARVILLE: Up in here, there were some behind the house.

MR. MONTGOMERY: Three (3) behind the fence, the other one I know of are being worked on.

MR. MC CARVILLE: I'd like to take a look at it.

MR. SCHIEFER: I would like the idea of cleaning it up, no question about that. We are going to put it on the next site visitation.

MR. BABCOCK: Yes, it's on.

MR. LANDER: Get something from the State on the curb cut out here in front.

MR. MONTGOMERY: I have already spoke with Don. I am also doing some other things in the area.

MR. LANDER: As long as we have something from him that it's, this curbing out on the State right-of-way is going to be approved by him.

MR. EDSALL: Maybe you can take care of the other comments for the applicant but comment #7 through 10 you should really think about if you want to keep this on track, we will need my comments, we will need something in writing from Don Green so you may want to formally submit.

MR. MONTGOMERY: That is fine.

MR. MC CARVILLE: Agree to waive the 90 day time clock?

MR. MONTGOMERY: Ninety (90) day for what?

MR. EDSALL: This is an old pending application.

MR. MONTGOMERY: Correct, I was, when I asked the quickest way for me to get on the agenda, this was suggested to me to put George Ross in there.

MR. VAN LEEUWEN: We need you to waive the 90 days.

MR. MONTGOMERY: I waive it.

MR. LANDER: Otherwise, we have to take action on this and it would not be favorable.

MR. MC CARVILLE: I make a motion that the New Windsor Planning Board take the lead agency position in the matter of the George Ross Site Plan.

MR. VAN LEEUWEN: I will second it.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Pagano	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. MC CARVILLE: I'd like to reserve just the public hearing until we take a look at it.

MR. LANDER: We are going to need a proxy statement too.

MR. EDSALL: You have signed that you are a partner in this project.

MR. MONTGOMERY: Yes, managing partner.

MR. EDSALL: Amend the application to reflect the partnership rather than the individual.

MR. MONTGOMERY: You will not be dealing with George in the future. I promise you that.

MR. EDSALL: We need to show that there is more than George involved, if you can stop by and see Myra.

MR. MONTGOMERY: I'd like to make one more statement. The tenants when I wrote the lease with them, they spent a lot of money on the building. They put improvements including firewalls and things like that into the building to make it up to code. Because it wasn't, when they took it over, they spent a lot of money and they are very, very short on money right now and they are waiting to get this open from a marketing standpoint and I want my tenant and that is why I gave them permission to get in there initially with the season and marketing for them to build their business up coming up before the holidays, I'd like to keep them in and put it on your mind so we can get this taken

care. I'd like to get this property done at least the initial half before the blacktop plants close. I'm ready to work on it so I mean when we had a planning session, I had the maps redone back here before 3 o'clock so I could get on this agenda so I am ready to work with you.

MR. LANDER: Who is paying for the improvements?

MR. MONTGOMERY: Myself and George Ross.

MR. VAN LEEUWEN: You want to meet him halfway?

MR. PAGANO: How much blacktop are you going to put in?

MR. MONTGOMERY: It's on the map.

MR. PAGANO: You are going to do the house?

MR. MONTGOMERY: What is not grass right now will be all pavement, correct.

MR. LANDER: What is going to make it a little more pleasing to the eye is the curbing in the front, you are not going to have cars coming out all different angles.

MR. SCHIEFER: You are going to have the evergreens there?

MR. MONTGOMERY: Yes. Jim Taylor will be taking care of that for me.

MR. LANDER: And the dumpster will get enclosed?

MR. MONTGOMERY: I would have done that already but I didn't want to take action until I spoke with you.

MR. VAN LEEUWEN: I have no problem with enclosing the dumpster now, it's supposed to have been done by Lorenzo.

MR. MONTGOMERY: I didn't want to take that in my own hands.

MR. VAN LEEUWEN: That was approved, you can do it.

MR. EDSALL: Since he is going to be starting work, you may want to go on record what you are authorizing him to do with the curb cut onto the DOT highway, he needs a permit. We don't have the authority to do it, anything else on-site given the restrictions and the local law for work on-site without site plan approval, I think you should delineate what you are telling him he can and cannot do. If you are going to tell him he can do anything.

MR. LANDER: What the dumpster thing, I think he should wait, he's got curbing coming around then he's going to run into the

dumpster pad from the pad to the building. The existing propane tank--

MR. MONTGOMERY: Which has been yanked out and never supported.

MR. LANDER: Fire department would have something to say about that, about how far away from the building.

MR. VAN LEEUWEN: He said it's out.

MR. LANDER: What are we using now.

MR. MONTGOMERY: It's not been replaced, it was Weaver Gas and they came the last time and took everything out.

MR. VAN LEEUWEN: What kind of heat.

MR. MONTGOMERY: It will be propane.

MR. SCHIEFER: Another tank goes in there?

MR. BABCOCK: That was approved on the last application for Joe Lorenzo for the tank.

MR. VAN LEEUWEN: Let him go ahead, put the curbing, put the shrubbery, let him blacktop it, let him put the dumpster and in the meantime, we will all stop in and take a look and in effect get it done in two weeks. We will put him on the agenda. If he wants to move, I am willing to let him go ahead. It's all been approved on the prior site plan. I'm looking to see this get cleaned up and this is an opportunity.

MR. SCHIEFER: Make a motion to that effect anybody have any problem?

MR. VAN LEEUWEN: I have no problem with it. We don't need a motion to that effect. It's all approved on the prior site plan.

MR. LANDER: He is going to have to wait for the State if he can work permits.

MR. VAN LEEUWEN: Put some shrubbery and clean it up.

MR. MONTGOMERY: I wanted to come here--

MR. PAGANO: How about just the blacktop, get it blacktopped.

MR. VAN LEEUWEN: Everything he was going to do with the old site plan.

MR. SCHIEFER: If you don't have a problem, why don't you let



him proceed.

MR. MC CARVILLE: Until I go down and see the piece of property, I haven't been by there. Everytime I look at it it irritates me.

MR. EDSALL: I'd hesitate in having him stripe until the site visit, he's already got approval to pave. He just didn't do it.

MR. VAN LEEUWEN: If he's willing to work with us, why can't we work with him?

MR. SCHIEFER: He doesn't need an approval to pave, doesn't need an approval to enclose the dumpster. That is all granted so just go ahead. You need State approval for the major portion and in the meantime, we will go down and take a look see.

MR. MC CARVILLE: What are you going to do to the exterior of the building?

MR. MONTGOMERY: As it sits now, just be painted and kept as it is, the restaurant.

MR. DUBALDI: Blue and white?

MR. MONTGOMERY: Black and white with some blue trim.

MR. SCHIEFER: You recognize what approvals you already had and we have said it several times.

MR. MONTGOMERY: I understand that is from a map 3 years back. I am trying to update and familiarize with that.

MR. SCHIEFER: You are going to do the paving, that is approved. You are going to enclose the dumpster, that is approved. You are going to work with the State on the access, that's being done in the meantime we will go down and take a look. I don't think there's any further action needed tonight.

MR. MONTGOMERY: Is there a certain time which you are going to be there?

MR. SCHIEFER: We will let you know.

MR. EDSALL: One other item which Paul has the comments. My comment #4 just notes that the catch basin that's in the middle is questionable as to how it's operating and it was possible that the pipe is either calapsed or blocked.

MR. MONTGOMERY: Just a lot of gravel.

MR. EDSALL: Just noting that it's the intent of the Planning Board to have correct drainage on-site. The pipe needs to be

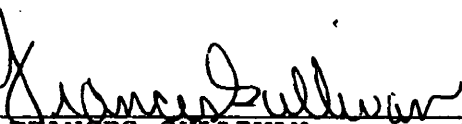
9-26-90

replaced, now is the time to do it before you spend your money on the pavement.

MR. MONTGOMERY: Understood.

Being that there was no further business to come before the Board a motion was made to adjourn the meeting by Mr. Van Leeuwen seconded by Mr. McCarville and approved by the Board.

Respectfully submitted;



FRANCES SULLIVAN  
Stenographer

AS OF: 05/10/89

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 97-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 88- 59

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
88-59	30125	03/14/89	TIME	MJE	MC ROSS	60.00	0.50	30.00			
								=====	=====	=====	=====
TASK TOTAL								30.00	0.00	0.00	30.00
								=====	=====	=====	=====
GRAND TOTAL								30.00	0.00	0.00	30.00



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., ~~WATER~~, SEWER, ~~HIGHWAY~~

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 88 - 59

DATE PLAN RECEIVED: MAY 18 1988

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

Clomo for the building or subdivision of \_\_\_\_\_ has been

reviewed by me and is approved ☒ \_\_\_\_\_,

disapproved ☐ \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fred S. S. S. 6/4/83  
HIGHWAY SUPERINTENDENT DATE

S. S.  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

MEMORANDUM FOR FILE

TO: GEORGE ROSS FILE #88-59  
FROM: TELEPHONE MESSAGE LEFT BY DON GREENE OF NYSDOT  
DATE: JUNE 21, 1993

On this date, we received a voice-mail message from Don Greene of NYSDOT informing us that "The curbs next to Landers on Rt. 32 are OK."

*cm*



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, ~~SEWER~~, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 88 - 59

DATE PLAN RECEIVED: JUN 18 1993

The maps and plans for the Site Approval ✓

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

GEORGE ROSS has been

reviewed by me and is approved ✓

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HIGHWAY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

WATER SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

[Signature]  
SANITARY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

**INTER OFFICE CORRESPONDENCE**

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 21 June 1993  
**SUBJECT:** George Ross Site Plan

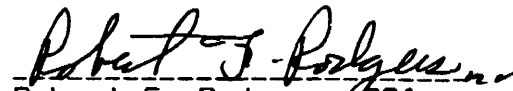
**PLANNING BOARD REFERENCE NUMBER:** PB-88-59  
**DATED:** 18 June 1993

**FIRE PREVENTION REFERENCE NUMBER:** FPS-93-040

A review of the above referenced site plan was conducted on 18 June 1993.

This site plan is acceptable.

**PLANS DATED:** 16 June 1993; Revision 8.

  
Robert F. Rodgers; CCA  
Fire Inspector

RFR:mr  
Att.



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # 88-59  
WORK SESSION DATE: 16 June 1993 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: New Plan  
PROJECT NAME: Ross S/P  
PROJECT STATUS: NEW \_\_\_\_\_ OLD X  
REPRESENTATIVE PRESENT: MC/George/Patt  
MUNIC REPS PRESENT: BLDG INSP. @ AHJ  
FIRE INSP. X  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Use/Ht table - review/correct as nec
- Pkgs good.
- show pole correct loc
- Trans. shap. exist gravel.
- Optional fence.
- show existing signs. (verify loc)
- take ht. out of main table
- change to 30 max
- DOT
- Bond Estimate for site work





McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # 88-59

WORK SESSION DATE: 2 June 1993

APPLICANT RESUB.  
REQUIRED: Revised Plan

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Vars S/P

PROJECT STATUS: NEW \_\_\_\_\_ OLD X

REPRESENTATIVE PRESENT: George, France, Pat

MUNIC REPS PRESENT: BLDG INSP. X  
FIRE INSP. Renue  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL: Table of uses  
use reference wrong; B-5 Loc Mpl's  
A-26 Rest.

- Multiple comments marked on  
S/P - they are to bring plan  
back for our re-use-

**INTER OFFICE CORRESPONDENCE**

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 19 May 1993  
**SUBJECT:** George Ross Site Plan


**PLANNING BOARD REFERENCE NUMBER:** PB-88-59  
**DATED:** 18 May 1993

**FIRE PREVENTION REFERENCE NUMBER:** FPS-93-033

A review of the above referenced subject site plan was conducted on 19 May 1993.

This site plan is acceptable.

**PLANS DATED:** 17 May 1993; Revision 6.

  
Robert F. Rodgers, CCA  
Fire Inspector

RFR:mr  
Att.



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**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # BB 59  
WORK SESSION DATE: 5 May 1993 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: Revised Plan  
PROJECT NAME: Koss site plan  
PROJECT STATUS: NEW \_\_\_\_\_ OLD X  
REPRESENTATIVE PRESENT: George Koss / Pat  
MUNIC REPS PRESENT: BLDG INSP. Conf  
FIRE INSP. X  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Mura - get me copy of 9/25/91 minutes  
pages 34 to 50

add paving in front of garage  
suggest reloc of parking  
to left.

next avail agenda  
after plans

4MJ91 pbwsform



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201-875-0500

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN/VILLAGE OF

New Windsor

P/B #

88-59

WORK SESSION DATE:

3 Nov 92

APPLICANT RESUB.

REQUIRED:

Not sure yet

REAPPEARANCE AT W/S REQUESTED:

No

PROJECT NAME:

Loss Properties (possible S/P Am)

PROJECT STATUS:

NEW X OLD

REPRESENTATIVE PRESENT:

MUNIC REPS PRESENT:

BLDG INSP. WAC

FIRE INSP. X

ENGINEER X

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

① - delete fence for car prep shop north corner

- Jack Graniero - new user.

② revise lighting. - ck w/CHGE.

add note vehicle storage to trans shop

May just complete per S/P with  
change to lighting.

BY MR. VAN LEEUWEN: Jack, that we'd go along with more units if he would create a 94 access. That's what we told him and it can be checked out in the minutes. NOW, we're willing to go along with more units, okay, why shouldn't we get an access on 94? We're even trying to help you, it's not that we're saying hey, this is the way it is. Okay, that's not what we're doing. We're allowing you more units to give yourself an exit on 94. You'll have better sales and everything else.

BY MR. MC CARVILLE: Keeping all the neighbors off our backs.

BY MR. SCHIEFER: I think we told Greg we agree with the concept, this number of units, providing you must have access better than the one we have now. All right, I'll take back what I said about Erie Avenue. I have no problem with that one.

BY MR. VAN LEEUWEN: They are not screaming there because it's a cemetery. So, boy, I'll tell you, the other ones all scream.

BY MR. SCHIEFER: Okay, thank you.

GEORGE ROSS SITE PLAN:

Douglas Montgomery came before the Board representing this proposal.

BY MR. MONTGOMERY: I was in front of you two weeks ago with the public hearing. I'm coming back with the additional changes you requested. A little bit more update.

BY MR. SCHIEFER: I apologize, let me get these maps.

BY MR. MONTGOMERY: When they had the tanks taken out, they took a sample of the water and soil and they sent it back for tests. Now, that test sometimes takes six months. You keep it on your property until they come back for the test and they either tell you to spread the dirt around if there's no contamination and get rid of the water, or they

haul it off.

BY MR. MC CARVILLE: Those drums are marked January '90?

BY MR. MONTGOMERY: Correct. We do not have the results back.

BY MR. DUBALDI: So you don't know what's in the drums?

BY MR. MONTGOMERY: It's the water rushing into the hole when they took out the tanks.

BY MR. DUBALDI: Was the pile there, was a pile of something on the property?

BY MR. MONTGOMERY: That's a pile of dirt still there.

BY MR. MCCARVILLE: This was white stuff?

BY MR. PETRO: It could be the lining from the tank, could be, I'm not sure.

BY MR. MONTGOMERY: The only pile of white stuff was next to this final building, there was some animal infestation, they had, raccoons had got in there, was about 20 raccoons in the building.

BY MR. PETRO: Maybe about eight or ten yards and looks like asbestos back in here.

BY MR. MONTGOMERY: There's nothing there.

BY MR. SCHIEFER: It was there the day we were there. May have been moved.

BY MR. MONTGOMERY: That's the dirt. There's a piece of plastic over it.,

BY MR. MC CARVILLE: That had no plastic.

BY MR. PETRO: It was partially dug. The only pile there is now is the dirt they took out of the hole and covered it with plastic and that's just the way they do it. I don't see anything white.

BY MR. PETRO: I'll tell you, regardless, I think

nothing to do with the site, I think have Mike make sure it's disappeared after a certain amount of time because after January of '90 you're talking almost a year and a half, they have got to, January of '90, it was labeled.

BY MR. MONTGOMERY: '91.

BY MR. PETRO: Even that many months, it's too long, even six months it should have some determination by now.

BY MR. DUBALDI: Are you also going to remove some of the, how should I say, damaged vehicles in the back? I remember it wasn't there like a moving van or something.

BY MR. PETRO: There was a bus or something.

BY MR. MONTGOMERY: The vehicles in the back right now, there's one, it actually is like a trailer that was with the past tenant and the new tenant, he's here right now have agreed to take that away pending final approval for them to locate the site.

BY MR. VAN LEEUWEN: Before you get a C.O., that's got to be cleaned out.

BY MR. MONTGOMERY: Correct.

BY MR. VAN LEEUWEN: Why can't we get trees to go all around the property?

BY MR. MONTGOMERY: Because when I discussed, well, the first meeting with Mark Edsall when I went over the plans, I asked if that would be sufficient because in back of the property is industrial property. It's not residential. And there's nothing back there now and it's heavily forested. If we came back around the building to this point, everywhere would be from back here would still be covered by those trees and since this all in here is our property anyway, and this fence will come down the middle.

BY MR. VAN LEEUWEN: How about the southern side of your property.

BY MR. MONTGOMERY: That's bordered by I guess trees

and Mr. Lander's property.

BY MR. VAN LEEUWEN: Put some trees and dress that up a little bit because that does look a little cruddy.

BY MR. MONTGOMERY: I would be happy to.

BY MR. MC CARVILLE: As far as the tank that was removed that was on the restaurant parking area and that was just gravel, has that been paved?

BY MR. MONTGOMERY: It's not been paid. They suggested to wait a year for it to settle.

BY MR. MC CARVILLE: That will be January, if you wait a year.

BY MR. MONTGOMERY: Correct.

BY MR. MC CARVILLE: No blacktop plant is open in January. Any of these markings down on the spaces?

BY MR. MONTGOMERY: Not until we do the final blacktopping.

BY MR. MC CARVILLE: Are the poles around the tank over here?

BY MR. MONTGOMERY: The tank, the gas tank that was there was changed by the gas company to make it two small tanks behind the building and is covered by this concrete block structure. It was suggested to be put there so it would not be hit by any vehicles and this concrete block structure stops any egress into there.

BY MR. MC CARVILLE: Is that concrete block structure up?

BY MR. MONTGOMERY: Yes and there's pictures, I brought in two weeks ago.

BY MR. VAN LEEUWEN: The tank that's here has been removed?

BY MR. MONTGOMERY: Correct, that tank has been removed and replaced at the request of the propane company, two smaller tanks.



BY MR. LANDER: All we're going to need is the where it says proposed tank would be taken off because it was not going to be here any more so --

BY MR. MONTGOMERY: Okay, that's fine.

BY MR. SCHIEFER: What is this second comment on the application State Department of Transportation?

BY MR. MONTGOMERY: That was given to Myra a month and a half ago when we had the curb cuts done last November. They just wanted to see that we had the permit from the Department of State to complete that work and that's in the file somewhere. I know, I remember Mark found it when I was in a meeting with him.

BY MR. SCHIEFER: I'm surprised if it's there that he did make the comment.

BY MR. MONTGOMERY: It had been on a comment for a while and possibly it was just never recorded when it was put in because it's there. Actually I brought it in twice.

BY MR. VAN LEEUWEN: You do have DOT approval for the curb cuts, though, right?

BY MR. MONTGOMERY: Yes. As a matter of fact, I'm still waiting for the return check for the bond back.

BY MR. PETRO: Oh, boy, keep after them.

BY MR. MONTGOMERY: They assure me it's in the mail.

BY MR. PETRO: Did that to me for about a year.

BY MR. KRIEGER: They didn't tell you which mail.

BY MR. VAN LEEUWEN: Didn't tell you what year either. On the southern side of the property you have no problem at all even if you go from the transmission, existing transmission shop down to 32, put trees down there?

BY MR. MONTGOMERY: So from the existing transmission shop right now there is a stockade fence if you look in the pictures that blocks the view of that and goes all the way to this tree and from --

BY MR. VAN LEEUWEN: I know that's there. I'd like you to put in a row of trees alongside that, correct?

BY MR. MONTGOMERY: I'd be happy to, if you'd like me to mix it in with the trees that are presently there. There's quite a few trees along the bed.

BY MR. PETRO: If you have an open spot where you can see on Mr. Lander's to fill it in.

BY MR. MONTGOMERY: I'd be happy to, and I'll deal with him.

BY MR. PETRO: Mike, is there a bond for the blacktop? Is there any bonding at all, do you know?

BY MR. BABCOCK: No. We never, we never really got on an approved site plan. We're still working on it. You know, it was a phase A and a phase B and the Board thought that it would be best that we did a whole entire site plan which is here tonight.

BY MR. PETRO: Building permits in the interim of this all subject to getting a full site plan.

BY MR. MONTGOMERY: Correct, what we're trying to do is consolidate all the buildings under one plan because it's one of the most difficult properties in New Windsor.

BY MR. PETRO: Have you proposed on getting the bonds for the blacktop? What building permit is going to be asked for now? Seems like everything is built as going to require a bond.

BY MR. BABCOCK: Good question.

BY MR. MONTGOMERY: We won't be able to get the C.O.'s until the blacktop was put down, correct?

BY MR. PETRO: Let's face it, as far as I'm concerned, he's already operating in there.

BY MR. MONTGOMERY: Who?

BY MR. PETRO: In the proposed prep shop, the night we were there, there was people there. That's besides the point. You're not going to wait until

next May or something before you work out of there, are you? You don't want to wait until May or April because that's what the blacktopping plants are going to open. So you're going to want to get a C.O. rapidly so that means you're going to get a bond or blacktop now.

BY MR. MC CARVILLE: There were cars being stored on the property.

BY MR. PETRO: They were purchased recently at the auto auction. I'm at the auction every Wednesday so I know the truck marks.

BY MR. MONTGOMERY: A lot of the cars on the property are from the transmission shop also.

BY MR. PETRO: Aside from that, though.

BY MR. BABCOCK: Are you going to be applying for a building permit to do renovations in this particular building? The prep shop?

BY MR. MONTGOMERY: There's really no renovation, just interior drywalling.

BY MR. BABCOCK: I would suggest that the Board decide whether they want a bond on the project now. Typically on a new project where there's not a building in place we let the applicant get the building built, get as much of the blacktop and improvements that he can get done at the time that he's asking for a C.O. to occupy the building. Myself, the town engineer, go down there and we look at some of the improvements that you don't have done. I think the Board's familiar with it just so that everybody knows whatever is not done then that part would be bonded.

BY MR. SCHIEFER: The way I see it, what you'd bond would be the blacktop.

B MR. BABCOCK: Since curbing, garbage dumpsters, anything that might not be done at the point in time if this project is not going to require a building permit, then it's not going to require a C.O. or a bond, so this is the time.

BY MR. PETRO: We never know about it.

BY MR. SCHIEFER: That's why I'm asking what would be bond?

BY MR. BABCOCK: You can bond any improvements or all the improvements.

BY MR. SCHIEFER: What other improvements are these?

BY MR. BABCOCK: The shrubs, the trees, the fencing, that might not be in place.

BY MR. PETRO: Removal of the hazardous waste.

BY MR. VAN LEEUWEN: Mike, I suggest that we'll make a motion to require a bond. I suggest you sit down with him and make up the bond, whatever work isn't done.

BY MR. SCHIEFER: We have to identify work he wants done.

BY MR. BABCOCK: Typically what we ask for is we ask the applicant to supply us with that. The applicant should be in the position of having this work done and should have some idea what the cost to him would be to have these things done. What we do is submit that to Mark Edsall, the engineer, and Mark would review that and say yes, fine, okay, we can accept that, if that's the Board's wishes.

BY MR. SCHIEFER: What do we want?

BY MR. MC CARVILLE: I have been looking at the site plan. I'm not even thinking about the bond at this point, just one point, and that is there's something missing and that's, you know, you got a few shrubs in the front. There's a green area or something missing other than where the family house is.

BY MR. MONTGOMERY: Right behind the house there, heavy shrubbery.

BY MR. MC CARVILLE: I'm thinking in terms of 32. My point is this about how those cars park right now and what is going to prevent them from parking the same way they come and drive right up against the restaurant or they park facing Route 32. There's usually six to eight cars along this way and then there's usually four to six in front of the building. What I think should be done, take a line about 20 feet down the property here from the entrance and bring it right across here and see this area in here, give it something to, you know, rather than to keep the cars from coming up here, you're never going to get these people to park over here when they can drive up in front of the building, it's just human nature. Do you follow what I mean?

BY MR. VAN LEEUWEN: It should be dressed up parkingwise, certainly.

BY MR. MC CARVILLE: Just take this corner here and landscape this, right and you just bring your sidewalk up to your door, you lose the space here but I know --

BY MR. LANDER: Do we have aisle width through there?

BY MR. VAN LEEUWEN: I am losing that space to get it dressed up, that's for sure.

BY MR. SCHIEFER: I heard the applicant say he wouldn't mind doing that.

up.

BY MR. PETRO: You have to make sure you have the width for fire trucks.

BY MR. MC CARVILLE: 30 foot,.

BY MR. MONTGOMERY: 30 foot from, and there's not 30 foot from that.

BY MR. PETRO: So you have to be careful, where is the scale on this?

BY MR. MC CARVILLE: If that's done on a curve, you're going to be able to make it, you've got 25 foot minimum, now you follow me? He's got 25 foot now so even if you curbed it like this, you see what I mean?

BY MR. MONTGOMERY: You're going from the back of this lot aren't you?

BY MR. MC CARVILLE: No, I'm going from this front corner here.

BY MR. PETRO: Keep the minimum distance from this point right here, 25 foot minimum.

BY MR. MC CARVILLE: Follow the same thing you have got up front there.

BY MR. VAN LEEUWEN: Why don't you --

BY MR. MC CARVILLE: It's no big thing but I think --

BY MR. PETRO: What I'm saying is he can't go the other way because of the aisle width.

BY MR. MC CARVILLE: In other words, now how the cars park there now, George, by doing that and putting a lawn in that area, it's going, you're not going to have that.

BY MR. GEORGE ROSS: Can I give you an update on what's happened where the tanks were removed? I have put that out for, we're not looking at much in terms of blacktop. I think the space is like 40 by 50 and then I spoke with the blacktop people and I just want to voluntarily extend it back myself, just to even it

up because we had done the blacktop and then they came in and took out the tanks. I have also received a report from Conklin on the earth and I think it's five parts per million contamination and there was DEC inspector at the site at the time and they actually put half of that earth right back in with his approvals. So he said it can just aerate out or just be spread on that. The waste itself was just water, what's his name, Bob Giam (phonetic), he was telling me he'll get back to me as to who takes those tanks. There's somebody locally, I can just contact.

BY MR. SCHIEFER: You can finish this now.

BY MR. ROSS: I'm all set, I'm just waiting for your approvals.

BY MR. SCHIEFER: Then the dirt part should be removed, the tanks get out of there.

BY MR. VAN LEEUWEN: If you get the blacktopping and trees in and everything else, you won't have to put up a bond.

BY MR. ROSS: I'm ready to go.

BY MR. PETRO: Bond is not a major thing, you purchase a bond and it stays on file when you're satisfied, then you just release the bond back.

BY MR. MONTGOMERY: We'd like to enable these people to finish up with the site work and get their fences up because this is going to take a couple of weeks to get this work done and at the same time get the trees all the way to the front like Mr. Van Leeuwen suggested.

BY MR. VAN LEEUWEN: Why don't we do this. Mr. Chairman, why don't we let him go in and put the fence in, let him put the trees, put the blacktop, we can inspect it and we can say yes or no.

BY MR. SCHIEFER: I have absolutely no problem if the applicant is willing to put in the things we want without our final approval. I have no problem with that.

BY MR. VAN LEEUWEN: Why don't we do it that way We'll come back and take a look and vote yes or no.

BY MR. SCHIEFER: Rather than do all that.

BY MR. MONTGOMERY: Will we need to come back to another meeting?

BY MR. VAN LEEUWEN: No, we can go and inspect it.

BY MR. PETRO: You can give him final approval and he has to put up the bond then we're completely out of the picture and it's up to Mike Babcock.

BY MR. SCHIEFER: Get final approval no, put up a bond for all the work that's undone or finish the work and then come in again and get final approval.

BY MR. ROSS: Can I get a rough estimate as to what a bond would cost in terms --

BY MR. VAN LEEUWEN: Well, it's cash.

BY MR. PETRO: It could be cash bond.

BY MR. ROSS: In dollar amounts.

BY MR. VAN LEEUWEN: \$20,000, \$25,000 bond, right?

BY MR. SCHIEFER: What would that cost?

BY MR. PETRO: You can buy them through Rumsey, I think.

BY MR. MONTGOMERY: You can see over the last year we have done incredible amount of work to the property. We have done everything you wanted. You asked us to do, certain things right away, we spent over \$40,000 in the last year on the property, including getting the tanks out, putting the curbs in, putting the shrubs in, you can see that the work is being done. If in fact when I approached you originally on the project, there is not a lot of work left to be done. We have had a tenant waiting for a long time to get in there so we can make the property at least useful.

BY MR. MC CARVILLE: My point is on this one area, sprucing up this corner, is regardless of how much work you do, regardless of how well you paint the stripes over here, there's going to be cars surrounding this building because there's going to be



access to drive up to it.

BY MR. ROSS: They can't get through here.

BY MR. MC CARVILLE: They are parking all up in here and they are not going to park over here, if they can park here. It's just human nature.

BY MR. ROSS: What if we were to do something with like a planter, you know, out of two by fours, just can't go there.

BY MR. MC CARVILLE: How can you dress up blacktop?

BY MR. MONTGOMERY: Would you be adverse to them using that as like summer outside dining?

BY MR. MC CARVILLE: I wouldn't be adverse to it.

BY MR. SCHIEFER: Then you've got to start adjusting the parking count because the minute you add to the space, you need more parking. I wouldn't be adverse but you've got a legal problem.

BY MR. PETRO: As long as it's dressed up and in that fashion is what you're saying.

BY MR. MC CARVILLE: We want to keep the cars out of that area.

BY MR. PETRO: I'm not disagreeing, just a matter of how you want to do it.

BY MR. MC CARVILLE: I think you guys continue doing your work, figure out how you're going to straighten this out here and we'll see you in three or four weeks.

BY MR. SCHIEFER: Why don't you, the easier way rather than go to an expense of a bond continue to do this. You know what we want right now. I hear no one saying we are not going to approve, you get these done, you won't have to get the bond.

BY MR. ROSS: I have one problem with the tenant who as winter is approaching wants to get work done.

BY MR. MONTGOMERY: I understand you'll allow them to do work on the building before you inspect it, the

tenants are allowed to go into the building and fix it up as they deem.

BY MR. SCHIEFER: Mike?

BY MR. BABCOCK: If they are talking about painting the building, that's not a problem. If it's anything that's going to occur --

BY MR. SCHIEFER: Talking about construction.

BY MR. MONTGOMERY: They are replacing dry wall, they are replacing fixtures in the bathroom.

BY MR. SCHIEFER: That you don't need any permits for.

BY MR. BABCOCK: If you're replacing electric fixtures you sure do need a permit.

BY MR. MONTGOMERY: What I'm more worried about is the item four grading and clearing the back of the property.

BY MR. BABCOCK: Any extension of electrical system you need a permit. It's got to be inspected. That's why.

BY MR. SCHIEFER: I don't want to get into this.

BY MR. MONTGOMERY: What I'm more interested in --

BY MR. BABCOCK: Any materials he uses in the commercial building, they have to be a certain classification of material.

BY MR. MC CARVILLE: You can put the fence up.

BY MR. SCHIEFER: You have any problem with what we're talking about?

BY MR. BABCOCK: I don't think he can do any bridling renovations without a building permit.

BY MR. PETRO: But that won't affect us.

BY MR. BABCOCK: If you gentlemen do not have any problem with that, neither do I.

BY MR. PETRO: But as the tenant you want to continue working inside.

BY THE APPLICANT: Yes, we are going to need a --

BY MR. BABCOCK: He's going to have to apply for a building permit and you gentlemen saying you have no problem with me issuing one.

BY MR. SCHIEFER: I have no problem. How does the Board feel?

BY MR. BABCOCK: You should have a building permit so he can go ahead and legally do this work, clean this thing up and go for final approval.

BY MR. VAN LEEUWEN: That's the why it should be done because there are so many variations.

BY MR. MONTGOMERY: That's fine.

BY MR. SCHIEFER: Get the building permit from Mike, do what you have to do, clean up these things. We have been talking about coming back to us and you can be progressing, getting the things ready to go and that should be final approval.

BY MR. PETRO: Just wanted to address one thing to not picking on you with the bond, what happens a lot of times these projects are approved and you have every intention in the world to do the blacktopping and putting up the fence or shrubs and out of sight out of mind. Once you're out of here.

BY MR. MONTGOMERY: Initially the bond was waived because they wanted to get done on this and as far as I can recall, that was waived and came back three or four months later and I said the work has been done, keep doing it.

BY MR. PETRO: There's so much left to be done, namely the blacktopping which is a big ticket item and you're looking for final approval.

BY MR. SCHIEFER: Somebody make a motion that we suggest Mike give him a building permit to proceed with the approval.

BY MR. LANDER: Mr. Chairman, Andrew, any problem

with that?

BY MR. SCHIEFER: No, it was Andy's suggestion.

BY MR. KRIEGER: I suggested you do it by resolution so Mike has something behind him.

BY MR. ROSS: On the trees, is that something that I just get together with my neighbor?

BY MR. VAN LEEUWEN: Hemlocks are fast growing trees. It's a reasonable priced tree, okay, they also last a long time. You very seldom have any problem with them and very little maintenance.

BY MR. ROSS: Interspersing it with the existing trees that are there?

BY MR. MONTGOMERY: Ten foot on center from what I recalled.

BY MR. BABCOCK: These trees and the landscaping in front of the pizza place so no parking should be indicated in this plan for your review at the next time.

BY MR. MONTGOMERY: The trees in front of the pizza place?

BY MR. BABCOCK: The landscaping in front of the pizza place.

BY MR. MONTGOMERY: Yes.

BY MR. BABCOCK: Make sure that's on the plan so these gentlemen can review that.

BY MR. MONTGOMERY: I have everything written down.

BY MR. PETRO: And Paul's design for what you're going to do with the store to keep the parking from being what Dan wanted.

BY MR. ROSS: Can we go ahead and do it?

BY MR> SCHIEFER: Yes, that's what we're saying.

BY MR. MONTGOMERY: Would somebody make that resolution that we can get a building permit?

BY MR. PETRO: I'd like to make a motion that we allow Mike to issue a building permit for the George Ross Site plan improvement of the building.

BY MR. VAN LEEUWEN: Second the motion.

BY MR. SCHIEFER: Motion has been made and seconded we approve or ask Mike to issue a building permit on the George Ross site plan authorizing them to make improvements outlined in the minutes. This is nonstructural, just improvements.

BY MR. VAN LEEUWEN: Well, the fence has got to have a building permit.

BY MR. SCHIEFER: Any discussion on that?

ROLL CALL:

Mr. Petro: Aye.

Mr. Van Leeuwen: Aye.

Mr. McCarville: Aye.

Mr. Lander: Aye.

Mr. Dubaldi: Aye.

Mr. Schiefer: Aye.

BY MR. SCHIEFER: Mike will issue you a building permit.

BY MR. MONTGOMERY: Thank you very much.

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PUBLIC HEARING: GEORGE ROSS SITE PLAN (90-50) ROUTE 94

Mr. Douglas Montgomery came before the Board representing this proposal.

MR. MONTGOMERY: These are the pictures you requested of the last meeting of the improvements that you did not see at the site inspection.

MR. SCHIEFER: Now, I'm looking for -- let me get the letter from the secretary stating that the public has been duly notified. We have a letter from Myra Mason, Secretary of the Planning Board, notarized letter that all the applicant's, all of these people surrounding, in the surrounding territory have been notified on August 16, 1991, prepared addressed envelopes containing notices attached and certified list approved by the assessor so the legal part of it is done so I'll let the applicant make his presentation on what this is all about and go on from there.

MR. MONTGOMERY: When I last stood in front of you, I went over the site plan. It's a continuation of a site plan to get the property completed once and for all. It's a multi-use building on the property. When I went for, at the time I went for sales, there's no distinction in your zoning between wholesale and retail sales with the contingency that we'd have a fenced in yard around the back building for the storage with a storage for 35 cars. There's no retail sales at the site by this firm. It was understood by that firm that that was so that the time you told me to take out the word sales and write in prep and repair shop, you informed me that I needed a public hearing as it was special use. You asked me to include the greenery around the building to mark in the fence surrounding the building and come back with a more accurate depiction of what it would look like with the graded site, et cetera, et cetera and that is what I have in front of you right now.

MR. SCHIEFER: Any of the Board members have any questions on what we have been told and what we have in front of us before I open this to the public? We visited this site.

MR. PETRO: I have a very broad question. Is this

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again for the restaurant or the whole site plan before us?

MR. MONTGOMERY: Because of the unique property of this, the unique status of the property is actually multiple use buildings so what I have been told to do is continue to make the property once and for all into a finalized map, it's actually a continuation of a 1988 map as we go on step by step, this is the last step for the final map.

MR. SCHIEFER: So what you're answering Mr. Petro's question, this is not for one thing, this is for the entire site plan.

MR. MONTGOMERY: Correct.

MR. SCHIEFER: Any other questions, gentlemen?

MR. PETRO: We were at the site, to the left-hand side of this building right here, there was a large pile hazardous labeled as such and some containers. Do you know anything about it and what's been done with it?

MR. MONTGOMERY: Yes, sir. What happened we had three, used to be gasoline stations and we had three submersed tanks in the property. Conklin took those tanks out, put soil there along with the water they extracted for testing. It's to be kept at the site until they determine otherwise at which time it will be taken away. They are testing, they are presently still testing water. I don't know how long it takes. They told me at the time it didn't look like there was any contamination in the soil but it was a token sample of the soil and the stuff surrounding the tanks and whatever water was left in the hole they put into the tanks. As soon as Conklin finishes the determination if it's hazardous or not, it will be taken care of.

MR. SCHIEFER: So the hazardous material is potentially contaminated soil?

MR. MONTGOMERY: Yes.

MR. SCHIEFER: That's worse case.

MR. MONTGOMERY: Correct, in which case that would just have to be aerated back and forth.

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MR. SCHIEFER: We have an outfit coming to town that will burn it up for you. Any other questions, gentlemen?

MR. LANDER: We have car storage area 35 cars?

MR. MONTGOMERY: Correct.

MR. LANDER: How are we going to fit 35 cars on this area here, 47 feet from the building on the fence line and 57, I believe, up to this side.

MR. MONTGOMERY: They don't store them as per parking space. They store them next to each other until they do work on each and what these people do, buy from the auctions and we repair them at another site and finish the prep work here.

MR. LANDER: I understand that. I just can't visualize having, we can get, we have 47 feet so you need 18 feet for the car. I don't know how you're going to move the cars around, 35 cars.

MR. MONTGOMERY: They move them as they need them is what I've been told. I'm not familiar with the business except for what they told me. They park them right next to each other. They put them in the lot, it's fenced in as per insurance regulations and as they need them, they pull them out of the lot, 35 again is the maximum cash outlay to have, to buy 35 cars and keep them on a lot would be tremendous. That was the figure we discussed last meeting when you wanted a figure written down that's what I put down for you.

MR. LANDER: Just hard to visualize how you can get that many cars in there.

MR. MONTGOMERY: They might all not be able to so it may be less but I had to put a figure.

MR. LANDER: Okay.

MR. SCHIEFER: Sir, do you plan to put a fence in the back of this area, rear of the property?

MR. MONTGOMERY: Well, as per the drawing, there's a fence, it has to be surrounding that for insurance



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regulations. You'll see the trees go between the fence and the back line of the property.

MR. SCHIEFER: Okay, I see it. I see a fence line and then goes, that portion of it, yes.

MR. VAN LEEUWEN: Any cars going to be offered for sale around here?

MR. MONTGOMERY: Presently, there is, I believe, one car that has a for sale sign on that. I guess Lee Myles Transmission shop it was expensive to repair the car, the transmission they put a for sale sign. I'm not sure about the regulations but if it's a violation, it's Lee Myles car right now.

MR. VAN LEEUWEN: Doesn't belong to these people?

MR. MONTGOMERY: Correct, they can't sell anything until they get the New York State License which is waiting on approval of this.

MR. SCHIEFER: Mark, your comment on the fence at the rear of the property, is that adequate in your estimation, just in the area of the cars? There's a fence there on this side inward side of the landscaping, the trees.

MR. EDSALL: Surrounding the entire car storage area but it really doesn't tell us what it is. It says 6 foot high chain link fence. Are you going to have the slats in it so that it's --

MR. MONTGOMERY: No. Right now, that's why you asked for the greenery, the shrubs around it was for the visual.

MR. EDSALL: You have got to the south no screening other than the fence. I'm wondering if --

MR. MONTGOMERY: There actually are, there are some very large bushes that front the building, you really can't see it.

MR. EDSALL: It's not on the plan, that's why I'm asking. Those comments in Item 4 were listing the comments the Board had addressed. He has provided a fence, if you want slats you'll have to decide that

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tonight.

MR. SCHIEFER: Well, on two sides, I totally agree where he's got the White Fir, there's no need for slats there. Any comments from the Board?

MR. VAN LEEUWEN: Fifty (50) feet he's going to have a gate and the only place that you could possibly put the slats is on the left side and that's right along the transmission shop.

MR. MONTGOMERY: That's where the transmission shop will be storing the cars, once that is completed.

MR. SCHIEFER: I see no need for that.

MR. EDSALL: Then, I'd say that what they are providing appears to be fine.

MR. SCHIEFER: Okay, that's my opinion. Do you gentlemen have anything else?

MR. PETRO: I agree with that.

MR. SCHIEFER: The other thing was your comment, Mark, delineate vehicle storage area at the rear of the site. That's exactly what he wants there.

MR. EDSALL: As I said, comment 4 doesn't say he didn't do it, it's just a list of what the Board asked to have done and he's done on this plan. Because, I'm just reiterating there was quite a long discussion, I just went through the minutes and listed these items.

MR. SCHIEFER: Okay, then, as far as you're concerned, he has met the requirements that we have asked for?

MR. EDSALL: If you're going to approve this as an overall site plan, the bulk table only lists one use, A26 which is eating and drinking places, which is the restaurant. I think you should have -- this is going to be a plan for the entire site. You should number the buildings. You should identify the use group for each one and just tie it in so this is a once and for all site plan so that we have a record of the entire site and that would just be a formality that we'd check for the final plan.

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MR. SCHIEFER: If you'll keep that in mind, I'll rely on you to do that. There will be no decision this evening but if you'll do that, any other comments from the Board?

MR. LANDER: Just have a comment by Mark about the DOT permit.

MR. MONTGOMERY: DOT permit is coming back. They're giving my final thousand dollar check, it's supposedly in the mail from Poughkeepsie. Now, that will come with the final statement, as soon as I have it in my hands, I'll drop it off here.

MR. SCHIEFER: There won't be any approval before that anyway.

MR. PETRO: There will be no spraying in this building at all, it says prep, prep only?

MR. MONTGOMERY: Yes, once they have it painted and everything else from the other site, it's brought here for like pinstriping, buffing and polishing and things like that.

MR. PETRO: Fine, thank you.

MR. SCHIEFER: Any other questions? If not, I'll open this up to the public. Anyone in the public want to ask the applicant any questions in reference to this? Okay, if not, I'm going to close the public hearing and go back once more, any further comments from the Board?

MR. VAN LEEUWEN: I have none.

MR. SCHIEFER: Then what I would suggest you do is make those additions that Mr. Edsall has suggested, identification of the buildings and the next time you come back, you'll be going for approval of the overall site plan of the useages rather than just one.

MR. MONTGOMERY: Thank you very much.

ROSS, GEORGE SITE PLAN (88-59) ROUTE 32

Mr. Paul Cuomo and Joseph Minuta came before the Board representing this proposal.

MR. CUOMO: He's going to fill you in on what's been done since we have been here last and I think you have seen this plan before and there was some comments on it and we attempted to put all the comments on it with the zone line and the adjacent owners. There was about five or six comments but since then though Joe you want to go into what that is?

MR. MINUTA: So far, we have had all the curbs have been installed except around the existing tree area and five parking spaces next to the proposed restaurant. Catch basin has been repaired and is functional. The shrubs have been planted and as for questioning on the tanks, estimates have been taken and are being taken for removal of the tanks and an estimate has already been given by Ira D. Conklin and Sons.

MR. VAN LEEUWEN: I'll say one thing, it's the first positive thing I've seen happen with that property and I'm glad to see it.

MR. CUOMO: They invested about \$18,000.

MR. MINUTA: Yes.

MR. VAN LEEUWEN: I watched them work and they did so far it looks nice.

MR. MC CARVILLE: I can assume that you have DOT approval on the curb cuts and all?

MR. CUOMO: Yes.

MR. MINUTA: The 7 inch curbs will be reduced to 6 once the asphalt is put down and that's being held up by the tank removal.

MR. LANDER: Do we have anything on file from the DOT on that because we have been--

MR. VAN LEEUWEN: We have been hammered to death on that.

MR. CUOMO: I don't know if you have anything on file, we can get something for you.

MR. LANDER: We are going to need something because the DOT--

MR. PAGANO: Orange County Planning Department has local determination.

MR. CUOMO: We designed it really with Don Green, we worked together on it but we can get some paperwork up on it.

MR. LANDER: Just so we can produce the paperwork when--

MR. EDSALL: Mr. Chairman, maybe I can jump in on the DOT situation a little bit. Obviously, there was a problem in coordination between the town and the DOT. The resolve has been that Don Green has revised his form such that when he takes no objection to an application indicates that it's acceptable, he's telling you that he's accepting it with the understanding that before you stamp the plan, you'll have in hand a copy of the highway work permit, he's not saying that you can't approve plans any longer once he gives you that information but he's asking that you make any approval conditional unless you have seen the highway work permit that way you would in effect hold the site plan until you have proof that they have the permit. I asked him specifically if he wanted to hold up the approval and he said no. He just wanted to hold up the stamping of the plan until the permit has legally been issued. So, as long as you have Don's form letter in the future I would suggest that any approval be conditional upon the permit being issued and that applies to everything he has told me, everything that's on the State highway.

MR. MC CARVILLE: My thought on that is that until we have the permit, I don't think we should be approving the plan because that indicates if the State doesn't like where the cut is and it requires a revision of the plan, there's additional expenses involved and the applicant is going to be coming back.

MR. EDSALL: What he's saying is he's issuing a letter and he's indicating that the design is acceptable at that point. He's saying that it doesn't require regional review. He's accepted the layout. We are going to have the letter on file before you should even act to give conditional approval. What Don is saying once you act on conditional approval, they can go back to him and formally apply for the permit but he asks that you not stamp it until the permit has been issued.

MR. VAN LEEUWEN: You are not asking for approval tonight,

are you?

MR. CUOMO: We are asking for possibility that we can use the restaurant, we'd like to use the restaurant as a sitdown restaurant, it's all paved right now.

MR. MINUTA: It's been all, all the holes have been patched in the meantime they are waiting to get the rest of the work done as far as the asphalt goes.

MR. VAN LEEUWEN: I'll say one thing to you, I'll be very frank and up front. They have cleaned the property up. I have no problem with them using the restaurant. If you remember the last meeting they were here, he said if you would let us open up the restaurant and we, for take-out's only and we did what we're saying we're going to do at that particular time, we said as far as I'm concerned, I said I'd go along with him. How do you feel about it?

MR. LANDER: Well, that's what we did say. That's what we said at that meeting.

MR. VAN LEEUWEN: I think he's done a pretty decent job first positive thing.

MR. MINUTA: He spend in excess of \$18,000 so far.

MR. LANDER: I would have liked to have seen the propane tank with the ballisters around it and also dumpster enclosed, I mean because you do have a restaurant now, okay and to bad that didn't get done.

MR. VAN LEEUWEN: I make a motion that we allow him to use the restaurant and I want the poles in the next 30 days and I want the dumpster enclosed in the next 30 days and tie that into the motion if that is needed.

MR. CUOMO: Oh, yes we'll do that. This is the owner here, gentlemen, Mr. Isreal Campos.

MR. CAMPOS: I have been waiting for this approval for almost six months.

MR. VAN LEEUWEN: Can we get the dumpster enclosed in 30 days and the poles put around the tank in 30 days?

MR. CAMPOS: Sure, it won't take that long but I need to be in business already everyday that's been passed we are losing money.

MR. PAGANO: What's the enclosure going to look like?

MR. LANDER: It's on the print, enclosed constructed with concrete block, paint to match building, gates to be stockade fence, just so you can't see it.

MR. EDSALL: I'm just wondering for clarification, you're not approving the site plan.

MR. VAN LEEUWEN: No, no all I'm saying is he can open the restaurant.

MR. EDSALL: Is that a continued similar use to what was there before, is that basically what you are saying?

MR. VAN LEEUWEN: Yes, the only trouble is the guy before didn't have the right to use tables, okay, but we did allow him to have a take-out restaurant there.

MR. EDSALL: Are you talking about a take-out now or--

MR. VAN LEEUWEN: Take-out is in operation.

MR. CAMPOS: Already but actually there was, it was for take-out already now what I'm asking is I want to change to a sitdown now the parking lot has been done, we have all the spaces that are required, the curbs are in, the shrubs are in, I think you know we have been working with you so you know I am asking you work with me too, you know.

MR. MC CARVILLE: I think we ought to be taking care of items #2 and 3 on the comments.

MR. PAGANO: This is bothering me and especially since it's underlined. We are going to have to make a determination whether we want to continue without a public hearing.

MR. MC CARVILLE: I don't think we need a public hearing on this.

MR. VAN LEEUWEN: I make a motion we waive the public hearing.

MR. MC CARVILLE: I'll second that motion.

MR. CUOMO: With the proxy we did that.

MR. LANDER: Is it on file?

MR. CUOMO: It should be, I gave it to Myra.

MR. EDSALL: No but these comments were from the postponed meeting, if Paul made it in since last Wednesday, my comments would be outdated. If it isn't on record, I'd question--

MR. PAGANO: There's nothing in this file.

MR. CUOMO: I brought it in.

MR. MC CARVILLE: We are not per se approving this. We have a motion on the floor.

MR. VAN LEEUWEN: There's a motion made and seconded to waive the public hearing.

MR. PAGANO: The reason I am questioning the motion is that statement #3 that no one other than Mr. Ross is authorized to speak on the application. I can't find anything on the file.

MR. VAN LEEUWEN: Paul says he took care of it.

MR. CUOMO: Here it is right here, here's a copy of it. He authorized myself and Doug Montgomery. I did that right after the comments.

MR. VAN LEEUWEN: I move the question to a vote and motion to waive the public hearing.

MR. PAGANO: Now that we have #3 taken care of, we can take care of #3.

MR. EDSALL: Until you have an original proxy, I'd say that you just shouldn't ask for an unauthorized person to promise you anything and proceed with your business rather than asking them to promise anything.

MR. CUOMO: Myra has the original.

MR. EDSALL: You can still act on the motion.

MR. VAN LEEUWEN: We're just waiving public hearing.

MR. PAGANO: We're waiving a public hearing that is what is bothering me Andy can you help me out, I am short circuiting here because I think we have a cart before the horse.

MR. KRIEGER: I think you can waive the public hearing going beyond that is a problem.

MR. PAGANO: Motion on the floor to waive the public



hearing.

ROLL CALL:

Mr. Lander	Aye
Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Pagano	Aye

MR. VAN LEEUWEN: The copy that you have there is a signed statement from George Ross?

MR. PAGANO: It's a copy of something.

MR. CUOMO: It's a copy of the original which was given to Myra. I'll take an oath.

MR. VAN LEEUWEN: I am not saying Paul is a liar and I'd make a motion, I'll reinstate the motion that we'll allow him to operate the restaurant providing within the next 30 days he does the enclosure of the dumpster and he puts the pipes in.

MR. MC CARVILLE: I don't think you need that in the form of a motion.

MR. CUOMO: If we can't find the original--

MR. VAN LEEUWEN: He has to come back to have the man approved and if he doesn't, we have got him anyway because then I'm going to make him wait even longer to get it approved, that's how I feel about it.

MR. LANDER: But we'll still be, I would rather have it on the record.

MR. MC CARVILLE: I have no problem.

MR. VAN LEEUWEN: You're right next door, Ron, what is going on, you know all the problems we have seen when that was a station and transmission shop, is that cleaned up any?

MR. LANDER: Somewhat, yes, they got rid of some of the junk cars.

MR. VAN LEEUWEN: Remember the time we saw the oil running right in the creek?

MR. MC CARVILLE: I just question whether the Board in that form of a motion has the authority to grant a use

of a building without a site plan that in itself doesn't violate our own town codes.

MR. VAN LEEUWEN: He had a site plan on this before.

MR. MC CARVILLE: Not for the sitdown portion, that's my only concern with it, that's why I said leave it in an informal understanding with the applicant.

MR. VAN LEEUWEN: You can do it that way, makes no difference.

MR. MC CARVILLE: Andy, what do you feel?

MR. KRIEGER: I think you are safer with the informal understanding. I would even at that level, the informal understanding, I would prefer to see before the actual operation of the restaurant commences that they file a duplicate original here, they don't have to come back, they don't have to hold for that purpose alone. They don't have to hold that up but I would feel more comfortable if that was in the file before they actually opened the sitdown doors to the public. It's housekeeping but I think that's the reasonable compromise solution.

MR. CAMPOS: May I say something before you make decision on that? You are a businessman and I have been waiting very, very long for this but based on that--

MR. KRIEGER: That should be able to be taken care of in short order. Paul should be able to find out tomorrow from Myra where the original is and if she can't lay her hands on it, if Mr. Ross is available, he can execute another one.

MR. CUOMO: Before sundown I'll have it.

MR. KRIEGER: Hand in one and keep the other original in the file in case anything like this happens like this.

MR. LANDER: Fire inspector?

MR. VAN LEEUWEN: Have any problems if it's just informal, John?

MR. PAGANO: No problem.

MR. MINUTA: Existing office space is ready to be a car wholesale house by Orange Auto Brokers.

MR. VAN LEEUWEN: When are you going to come back with

this now because you don't have site plan approval.

MR. CUOMO: We have to go--won't we have to go to the workshop with this?

MR. EDSALL: Your biggest concern right now is to get us something from DOT.

MR. CUOMO: We can be back here in two weeks then.

MR. VAN LEEUWEN: Before you come back, I want to see that garbage enclosure done and I want to see the things around.

MR. MINUTA: The existing office up towards the top, is ready to be signed as a car wholesale house.

MR. MC CARVILLE: What's a car wholesale house?

MR. MINUTA: They intend to prep cars to be sold.

MR. CUOMO: They are going to be brought in here, prepped up and brought to some other place.

MR. LANDER: That means we are going to store cars here?

MR. MINUTA: No, no storage of cars.

MR. LANDER: Just cars here cleaned and out?

MR. MINUTA: No.

MR. CUOMO: No outside, all inside cars.

MR. MC CARVILLE: How many bays are in that building?

MR. CUOMO: I think there's only one, there's enough room for two bays but there's one right now existing.

MR. BABCOCK: That's your future use of the building?

MR. CUOMO: Yes.

MR. EDSALL: That isn't part of your application at this point?

MR. CUOMO: Not really.

MR. EDSALL: I'd not confuse the issue and come back on that separately.

MR. CUOMO: Just let it go then, all right. Single

1-16-91

family dwelling another thing in the future we are going to change that probably to an office but that is in the future too.

MR. LANDER: Are you going to put the inch and a half top on when you get the rest of the renovations done?

MR. MINUTA: Yes.

MR. CUOMO: So, we'll be back with the poles around and the dumpster enclosure.

8-13-91

SEP 12 1991

88-59

Rev. 5

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_

subdivision \_\_\_\_\_ as submitted by

Paul V. Cuomo

for the building or subdivision of

Geo. Ross -

has been

reviewed by me and is approved ✓

disapproved \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

Town water is serving this prop.

HIGHWAY SUPERINTENDENT

Steve D. D.

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓  
CC: M.E.

SEP 12 1991

88-59

Rev. 5

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by  
Paul V. Cuomo for the building or subdivision of  
George Ross - Restaurant has been  
reviewed by me and is approved ☒  
disapproved \_\_\_\_\_

If disapproved, please list reason \_\_\_\_\_

Main Sewer line is available.

Proper grease trap must be installed.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Lymon D. Masten Jr  
\_\_\_\_\_  
SANITARY SUPERINTENDENT

Sept 16, 1991  
\_\_\_\_\_  
DATE

✓  
CC: H.E.

**INTER OFFICE CORRESPONDENCE**

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 13 September 1991  
**SUBJECT:** George Ross site Plan

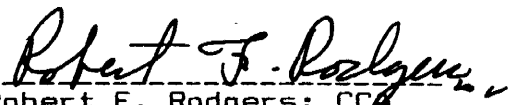
**PLANNING BOARD REFERENCE NUMBER:** PB-88-59  
**DATED:** 12 September 1991

**FIRE PREVENTION REFERENCE NUMBER:** FPS-91-072

A review of the above referenced subject site plan was conducted on 13 September 1991.

This site plan is acceptable.

**PLANS DATED:** 18 September 1991; Revision 7.

  
Robert F. Rodgers; CCA  
Fire Inspector

RFR:mr  
Att.

✓  
CC: H.E.

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 13 August 1991  
SUBJECT: George Ross Site Plan

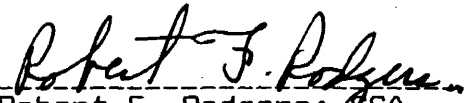
PLANNING BOARD REFERENCE NUMBER: PB-88-59  
DATED: 9 August 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-063

A review of the above referenced subject site plan was conducted on 13 August 1991.

This site plan is acceptable.

PLANS DATED: 7 August 1991; Revision 5.

  
Robert F. Rodgers; CCA  
Fire Inspector

RFR:mr  
Att.

✓  
CC: M.E.



AUG - 9 1991

88-59

Rev. 4

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, ~~SANITARY INSP.~~  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval ☒

Subdivision \_\_\_\_\_ as submitted by

Paul V. Cuomo for the building or subdivision of

George Ross - Proposed Restaurant has been

reviewed by me and is approved ☒

disapproved \_\_\_\_\_

If disapproved, please list reason \_\_\_\_\_

Shall require proper grease trap, SD 11-A

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Lynn A. Masten Jr  
\_\_\_\_\_  
SANITARY SUPERINTENDENT

August 12, 1991  
\_\_\_\_\_  
DATE

8-12-91

AUG - 9 1991

88-59

Rev. 4

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.  
D.O.T., O.C.H., O.C.P., D.P.W., ~~WATER~~, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_

subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

Paul V. Cunn for the building or subdivision of  
Geo. Ross has been

reviewed by me and is approved ✓

~~disapproved~~ \_\_\_\_\_

If disapproved, please list reason

Water is available in this area  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

[Signature]  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

AS OF: 08/06/91

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 88- 59

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	DOLLARS-----		
										EXP.	BILLED	BALANCE
88-59	8620	03/14/89	TIME	MJE	MC	ROSS	60.00	0.50	30.00			
									30.00			
88-59	9910	05/10/89				BILL inv 89 263						-30.00
												-30.00
88-59	25512	09/18/90	TIME	MJE	MC	GEORGE ROSS W/S	60.00	0.40	24.00			
88-59	25815	09/24/90	TIME	MJE	MC	GEORGE ROSS	60.00	0.70	42.00			
88-59	25825	09/25/90	TIME	MJE	MC	GEORGE ROSS	60.00	0.10	6.00			
88-59	25857	09/25/90	TIME	MCK	CL	R/C:GEORGE ROSS S/P	25.00	1.00	25.00			
									127.00			
88-59	27265	11/05/90				BILL 90-390						-97.00
												-127.00
88-59	29638	01/08/91	TIME	MCK	CL	GEORGE ROSS/REV COMM	25.00	1.00	25.00			
88-59	29695	01/08/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	29704	01/10/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	30126	01/17/91	TIME	MJE	MC	ROSS	65.00	0.40	26.00			
									243.00			
88-59	31520	02/12/91				BILL INV 91-173						-116.00
												-243.00
88-59	40647	06/18/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	41198	06/24/91	TIME	MCK	CL	R/REVIEW COMMENTS	25.00	1.00	25.00			
88-59	41775	06/24/91	TIME	MJE	MC	ROSS S/P	65.00	0.50	32.50			
88-59	41780	06/25/91	TIME	MJE	MC	ROSS S/P	65.00	0.10	6.50			
						TASK TOTAL			339.50	0.00	-243.00	96.50
						GRAND TOTAL			339.50	0.00	-243.00	96.50

88 - 59

JUN 19 1991

Rev. 3

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, ~~SEWER~~, HIGHWAY, REVIEW  
FORM:


The maps and plans for the Site Approval \_\_\_\_\_  
subdivision \_\_\_\_\_ as submitted by  
\_\_\_\_\_ for the building or subdivision of  
GEORGE ROSS has been  
reviewed by me and is approved \_\_\_\_\_  
disapproved ✓.

If disapproved, please list reason \_\_\_\_\_

NO GREASE TRAP DETAIL FOR PROPOSED  
RESTAURANT.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

  
SANITARY SUPERINTENDENT

6-26-91

DATE

CC: M.E.  
Doug Montgomery



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

- ☐ Main Office  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Millford, Pennsylvania 18337  
(717) 296-2765

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

(TOWN) VILLAGE OF New Windsor P/B # 88-59  
WORK SESSION DATE: 6 August '90 APPLICANT RESUB  
REQUIRED: New Plans  
REAPPEARANCE AT W/S REQUESTED: \_\_\_\_\_  
PROJECT NAME: Rose Site Plan  
PROJECT STATUS: NEW \_\_\_\_\_ OLD X  
REPRESENTATIVE PRESENT: Pouq Montgomery  
MUNIC REPS PRESENT: BLDG INSP. (VAC)  
FIRE INSP. Bob  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

MYRA <sup>DONE</sup> → I need records of DOT permit  
~~change~~ <sup>leave</sup> proposed restaurant to  
\* Scheduled for P/H 9/11 for Spec Plan  
MYRA → check w/ DOT re Hwy Permit having  
wrong address 232 vs 272

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 25 June 1991  
SUBJECT: George Ross site Plan

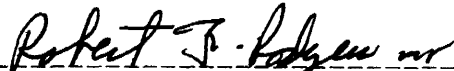
PLANNING BOARD REFERENCE NUMBER: PB-88-59  
DATED: 19 June 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-047

A review of the above referenced subject site plan was conducted on 25 June 1991.

This site plan is acceptable.

PLANS DATED: 18 June 1991; Revision 3.

  
Robert F. Rodgers; CCA  
Fire Inspector

RFR:mr  
Att.

✓  
CC:M.E.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B #

88 - 59

WORK SESSION DATE:

18 June '91

APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: \_\_\_\_\_

PROJECT NAME:

George Fox S/P

PROJECT STATUS:

NEW

OLD

REPRESENTATIVE PRESENT:

George Fox/Boy

MUNIC REPS PRESENT:

BLDG INSP.

@ G/C

FIRE INSP.

Bob

ENGINEER

X

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

+ Pull out 1/6/91 → find out what Board wanted

+ document DOT app'l

+ darken up add'l info

Myra + give me copy of proxy

+ check previous app'l

next avail agenda

**INTER OFFICE CORRESPONDENCE**

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 14 January 1991  
**SUBJECT:** George Ross Site Plan

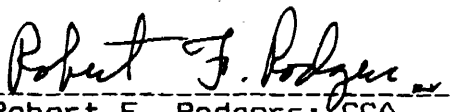
**PLANNING BOARD REFERENCE NUMBER:** PB-88-59  
**DATED:** 9 January 1991

**FIRE PREVENTION REFERENCE NUMBER:** FPS-91-003

A review of the above referenced subject site plan was conducted on 14 January 1991.

This site plan is acceptable.

**PLANS DATED:** 8 January 1991; Revision 2.

  
Robert F. Rodgers; CCA  
Fire Inspector

RR:mr  
Att.

✓  
CC: M.E.





**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

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- ☐ **Branch Office**  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

PROJECT NAME: GEORGE ROSS SITE PLAN  
PROJECT LOCATION: ROUTE 32 (OPPOSITE WILLOW LANE)  
PROJECT NUMBER: 88-59  
DATE: 26 SEPTEMBER 1990  
DESCRIPTION: THE APPLICANT HAS SUBMITTED AN UPDATED PLAN FOR THE PROPOSED SITE AND IS SPECIFICALLY REQUESTING APPROVAL FOR A PROPOSED RESTAURANT FOR THE BUILDING AT THE SOUTH CORNER OF THE PROPERTY.

1. This new plan indicates a revised parking configuration, including additional site improvements.
- ✓ 2. The zoning requirements appear correct for the restaurant (A-26) use in the "C" Zone, with the exception of maximum building height (which is 6 inches per foot) and floor area ratio (which is 0.5 maximum). These values should be corrected on the table. With regard to the building height, this may be a pre-existing condition. The Board should discuss same with the Applicant.
- ✓ 3. The plan should be corrected to position the zone line 200 foot back from the State highway right-of-way. As currently depicted, the zone line is incorrectly located.
- ✓ 4. It is my understanding that the outlet pipe from the existing catch basin is to be cleaned and made functional as part of this application. If a repair is not sufficient for proper operation, the pipe should be replaced.
5. The plan fails to identify adjoining property owners. This information should be added to the plan.
- ✓ 6. The note which indicates that a previous site plan was approved should be more specific as to the actual approval given, and the date.

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: GEORGE ROSS SITE PLAN  
PROJECT LOCATION: ROUTE 32 (OPPOSITE WILLOW LANE)  
PROJECT NUMBER: 88-59  
DATE: 26 SEPTEMBER 1990

-2-

7. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
8. The Board should require that the Applicant or their authorized representative waive the ninety day deadline for Board action.
9. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
10. Submittal of this plan/application to the New York State Department of Transportation and Orange County Planning Department will be required.
11. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:ROSS.mk

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 15 October 1990  
SUBJECT: George Ross Site Plan

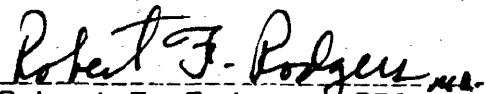
PLANNING BOARD REFERENCE NUMBER: PB-88-59  
DATED: 18 September 1990

FIRE PREVENTION REFERENCE NUMBER: FPS-90-085

A review of the above referenced subject site plan was conducted on 15 October 1990.

This site plan is acceptable.

PLANS DATED: 18 September 1990; Revision 1.

  
Robert F. Rodgers, CCA  
Fire Inspector

RR:mr  
Att.

✓  
CC: H.E.



MARY MCPHILLIPS  
County Executive

**Department of Planning  
& Development**

124 Main Street  
Goshen, New York 10924  
(914) 294-5151

PETER GARRISON Commissioner  
VINCENT HARRISON Deputy Commissioner

**ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT  
239 L, M or N Report**

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor D P & D Reference No. NWT 33 90 M  
County I.D. No. 35 / 1 / 45

Applicant George Ross - Rte. 32 (West Side)

Proposed Action: Proposed restaurant

State, County, Inter-Municipal Basis for 239 Review Within 500' of Town Variance & NYS

Comments: There are no significant inter-community or countywide considerations to bring to attention.

Related Reviews and Permits \_\_\_\_\_

County Action: Local Determination XX Disapproved \_\_\_\_\_ Approved \_\_\_\_\_

Approved subject to the following modifications and/or conditions: \_\_\_\_\_

11/19/90

Date

cc: M.E.

Peter Garrison

Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING  
APPLICATION FOR MANDATORY COUNTY REVIEW  
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 88-59

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date \_\_\_\_\_

☒ City, Town or Village Board ☒ Planning Board ☐ Zoning Board

2. Owner: Name George Ross

Address P.O. Box 659, Central Valley, N.Y. 10917

3. Applicant\*: Name \_\_\_\_\_

Address \_\_\_\_\_

\* If Applicant is owner, leave blank

4. Location of Site: Rt. 32 (West Side)  
(street or highway, plus nearest intersection)

Tax Map Identification: Section 35 Block 1 Lot 45

Present Zoning District C & PI Size of Parcel 2 acres

5. Type of Review:

Special Permit: \_\_\_\_\_

Variance: Use \_\_\_\_\_

Area \_\_\_\_\_

Zone Change: From \_\_\_\_\_ To \_\_\_\_\_

Zoning Amendment: To Section \_\_\_\_\_

Subdivision: Number of Lots/Units \_\_\_\_\_

Site Plan: Use Proposed Restaurant (All other uses are existing)

10/5/90

Date

Nyran Mason, Secretary for the Planning Board  
Signature and Title

Post-It brand fax transmittal memo 7671 # of pages 1

To <u>MYRA</u>	From <u>MARK</u>
Co.	Co.
Dept.	Phone #
Fax #	Fax #

RICHARD D. MCGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York  
New Jersey and Pennsylvania

NEW WINDSOR, N.J.  
TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

### PLANNING BOARD WORK SESSION RECORD OF APPEARANCE

TOWN OF New Windsor P/B # 88 - 59

WORK SESSION DATE: 10/2/90 APPLICANT RESUB.  
REQUIRED:

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Jack Higgins / George Ross

PROJECT STATUS: NEW ☒ OLD ☐

REPRESENTATIVE PRESENT: Martin & Paul Cuomo, Jack Higgins

TOWN REPS PRESENT:

BLDG INSP.	<input checked="" type="checkbox"/>
FIRE INSP.	<input checked="" type="checkbox"/> <u>Richie</u>
ENGINEER	<u>John Dwyer</u>
PLANNER	
P/B CHMN.	
OTHER (Specify)	<u>Mynal Mason</u>

#### ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Use ~~A-5~~ Zone Use B-5 C Zone  
Paving for Parking Lot  
Correct <sup>Booth</sup> Tables  
Add Dumpster  
Add Special Permit for "Auto Repair"  
Change parking Calculations to include Service Bay  
Need sewer info - (floor drains)  
Change layout of Building to reflect Service Bays  
Abandoned <sup>Shoolie</sup> tanks (Per Richie)  
Sign detail

88-59



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

TOWN OF New Windsor F/B #        -         
WORK SESSION DATE: 18 Sept '90 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: to return to 10/2 mtg REQUIRED: new plan  
PROJECT NAME: George Ross  
PROJECT STATUS: NEW        OLD X  
REPRESENTATIVE PRESENT: Doug Montgomerie / Martin (P/C) / PVC  
TOWN REPS PRESENT: BLDG INSP. X  
FIRE INSP. X  
ENGINEER X  
PLANNER         
P/B CHMN.         
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

"Core A-26"  
- overall pkg calc. -  
- rebar         
- print 2 1/2 - 1 1/2  
- delineate curb.  
- landscaping  
- lighting  
- drainage & clear line, reset grade.

Possible 10/10 P/B mtg.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,  
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, ~~REVIEW~~ REVIEW  
FORM:

The maps and plans for the Site Approval George Ross  
Subdivision \_\_\_\_\_ as submitted by  
Cuomo for the building or subdivision of  
\_\_\_\_\_ has been  
reviewed by me and is approved \_\_\_\_\_  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

Take into consideration the drainage that will  
run into Route 32, down to the creek on  
William Lane and create a problem on Lannis Ave  
due to black topping of parking lots.

Fred Fay Jr.  
HIGHWAY SUPERINTENDENT (M-2)

\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

02/03/89  
DATE



INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 12 January 1989  
SUBJECT: Ross, George Site Plan

PLANNING BOARD REFERENCE NUMBER: 88 - 59

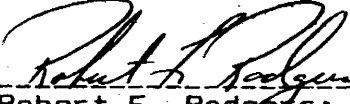
FIRE PREVENTION REFERENCE NUMBER: FPS 89 - 005

A review of the above referenced subject site plan/ sub-  
division was conducted on 12 January 19 89.

This site plan was previously disapproved under the Fire  
Prevention Reference number(s) of 88 - 22, 88 - 29, 88 - 96  
and 88 - 118.

This site plan is found acceptable.

PLAN DATED: 05 December 1988

  
-----  
Robert F. Rodgers; CCA  
Fire Inspector

CC: M.E.

INTER-OFFICE CORRESPONDENCE

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 28 December 1988  
**SUBJECT:** Ross, George Site Plan

PLANNING BOARD REFERENCE NUMBER: 88 - 59


FIRE PREVENTION REFERENCE NUMBER: 88 - 118

PREVIOUS REFERENCE NUMBERS: 88 - 96

A review of the above referenced subject site plan/ sub-  
division was conducted on 28 December 19 88  
with the following being noted.

- 1) See previous disapproval FP-88-96 dated  
7 November 1988.

This site plan/subdivision is found unacceptable.



Robert F. Rodgers; CCA  
Fire Inspector

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,  
D.O.T., O.C.H., O.C.P., D.P.W., XXXXXX, SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

Paul V. Cuomo for the building or subdivision of  
Geo. Ross (Joe & Lorenzo Rest) has been  
reviewed by me and is approved \_\_\_\_\_

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

There is a  $\frac{3}{4}$ " Service line feeding the  
Building of Joe & Lorenzo's Rest -  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

Steve D. Dr.  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board  
FROM: Town Fire Inspector  
DATE: 7 NOVEMBER 1988  
SUBJECT: GEORGE ROSS SITE PLAN

Planning Board Reference Number: 88-59

Fire Prevention Reference Number: 88-96

A review of the above referenced subject site plan/subdivision was conducted on 7 NOVEMBER 19 88, with the following being noted.

TITLE 9 - N.Y.C.R.R. - ONE ADDITIONAL HANDICAPPED PARKING SPACE  
NEEDED - TABLE I-1102

TITLE 9 - N.Y.C.R.R. - THE PROPANE TANK TO BE PROTECTED FROM  
PHYSICAL DAMAGE. SECTION 1163.3d.  
THERE IS NO PROTECTION FROM VEHICLES

This site plan/subdivision is found unacceptable.

  
Robert F. Rodgers; CCA  
Fire Inspector

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550

(Page 1 of 2)

Date Received \_\_\_\_\_  
Meeting Date \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid \_\_\_\_\_

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,  
OR LOT LINE CHANGE APPROVAL

1. Name of Project George Ross Site Plan
2. Name of Applicant George Ross Phone (914)-343-8811  
Address P.O. Box 659, Central Valley, NY 10917  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record same Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Paul V. Cuomo, D.E. Phone (914)-561-0448  
Address 571 Union Avenue, New Windsor, NY 12550  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
6. Location: On the West side of Route 32  
(Street)  
50 feet south  
(Direction)  
of Willow Lane  
(Street)
7. Acreage of Parcel 2 8. Zoning District Comm. & PI
9. Tax Map Designation: Section 35 Block 1 Lot 45
10. This application is for Site Plan Review
11. Has the Zoning Board of Appeals granted any variance or a special permit concerning this property? No

If so, list Case No. and Name \_\_\_\_\_  
-----

12. List all contiguous holdings in the same ownership  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT  
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

George Ross being duly sworn, deposes and says  
that he resides at \_\_\_\_\_  
in the County of Orange and State of New York  
and that he is (the owner in fee) of \_\_\_\_\_  
(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized Paul V. Cuomo, P.E. to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

17th day of October 1988

Patricia E. O'Brien  
Notary Public

PATRICIA E. O'BRIEN  
Notary Public, State of New York  
Residing in County of Orange  
No. 4641496  
Commission Expires Feb. 28, 1990

[Signature]  
(Owner's Signature)  
[Signature]  
(Applicant's Signature)

(Title)

PROXY STATEMENT  
for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARD

I, GEORGE ROSS, deposes and says that he  
resides at 99 EDGEWOOD DRIVE CENTON VALLEY, N.Y. 10917  
(Owner's Address)  
in the County of ORANGE  
and State of N.Y.  
and that he is the owner in fee of \_\_\_\_\_

which is the premises described in the foregoing application and  
that he has authorized DOUGLAS MONTGOMERY / PAUL CUOMO & ASSOC.  
to make the foregoing application as described therein.

Date: 1/10/91

George Ross 1/10/91  
(Owner's Signature)

Jacqueline Smith  
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF  
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT  
AND/OR OWNER AT THE MEETINGS.

PVC

TOWN OF NEW WINDSOR PLANNING BOARD  
SITE PLAN CHECKLIST

ITEM

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title              | 29. <input checked="" type="checkbox"/> Curbing Locations      |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s)          | 30. <input checked="" type="checkbox"/> Curbing Through        |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es)      | Section  |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name    | 31. <input checked="" type="checkbox"/> Catch Basin Locations  |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 32. <input checked="" type="checkbox"/> Catch Basin Through    |
| 6. <input checked="" type="checkbox"/> Drawing Date                 | Section  |
| 7. <input checked="" type="checkbox"/> Revision Dates               | 33. <input checked="" type="checkbox"/> Storm Drainage         |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET               | 34. <input checked="" type="checkbox"/> Refuse Storage         |
| 9. <input checked="" type="checkbox"/> Site Designation             | 35. <input checked="" type="checkbox"/> Other Outdoor Storage  |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet  | 36. <input checked="" type="checkbox"/> Water Supply           |
| of Site   | 37. <input checked="" type="checkbox"/> Sanitary Disposal Sys. |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10)  | 38. <input checked="" type="checkbox"/> Fire Hydrants          |
| 12. <input checked="" type="checkbox"/> PLOT PLAN                   | 39. <input checked="" type="checkbox"/> Building Locations     |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser)  | 40. <input checked="" type="checkbox"/> Building Setbacks      |
| 14. <input checked="" type="checkbox"/> Metes and Bounds            | 41. <input checked="" type="checkbox"/> Front Building         |
| 15. <input checked="" type="checkbox"/> Zoning Designation          | Elevations   |
| 16. <input checked="" type="checkbox"/> North Arrow                 | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners    | 43. <input checked="" type="checkbox"/> Sign Details           |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 44. <input checked="" type="checkbox"/> BULK TABLE INSET       |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas        | 45. <input checked="" type="checkbox"/> Property Area (Nearest |
| 20. <input checked="" type="checkbox"/> Existing Vegetation         | 100 sq. ft.)   |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress    | 46. <input checked="" type="checkbox"/> Building Coverage (sq. |
|   | ft.)   |
| <u>PROPOSED IMPROVEMENTS</u>  | 47. <input checked="" type="checkbox"/> Building Coverage (%   |
| 22. <input checked="" type="checkbox"/> Landscaping                 | of Total Area)   |
| 23. <input checked="" type="checkbox"/> Exterior Lighting           | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. |
| 24. <input checked="" type="checkbox"/> Screening                   | Ft.)   |
| 25. <input checked="" type="checkbox"/> Access & Egress             | 49. <input checked="" type="checkbox"/> Pavement Coverage (%   |
| 26. <input checked="" type="checkbox"/> Parking Areas               | of Total Area)   |
| 27. <input checked="" type="checkbox"/> Loading Areas               | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.)   |
| 28. <input checked="" type="checkbox"/> Paving Details              | 51. <input checked="" type="checkbox"/> Open Space (% of Total |
| (Items 25-27)   | Area)  |
|   | 52. <input checked="" type="checkbox"/> No. of Parking Spaces  |
|   | Proposed.  |
|   | 53. <input checked="" type="checkbox"/> No. of Parking         |
|   | Required.  |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By:   
Licensed Professional

Date: Nov 3, 1988



PVC

PROJECT I.D. NUMBER

617.21

SEQR

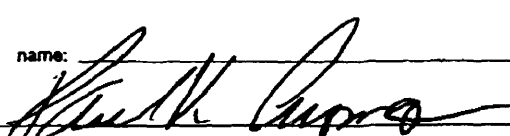
## Appendix C

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR George Ross	2. PROJECT NAME Ross Site Plan (Phase II)
3. PROJECT LOCATION: Municipality New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) on the west side of Route 32, 200 Ft. south of Willow Lane	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Site plan, Phase II development	
7. AMOUNT OF LAND AFFECTED: Initially 2 acres Ultimately 2 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals Planning Board	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval Permit Phase I	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: _____	Date: 11/3/88
Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

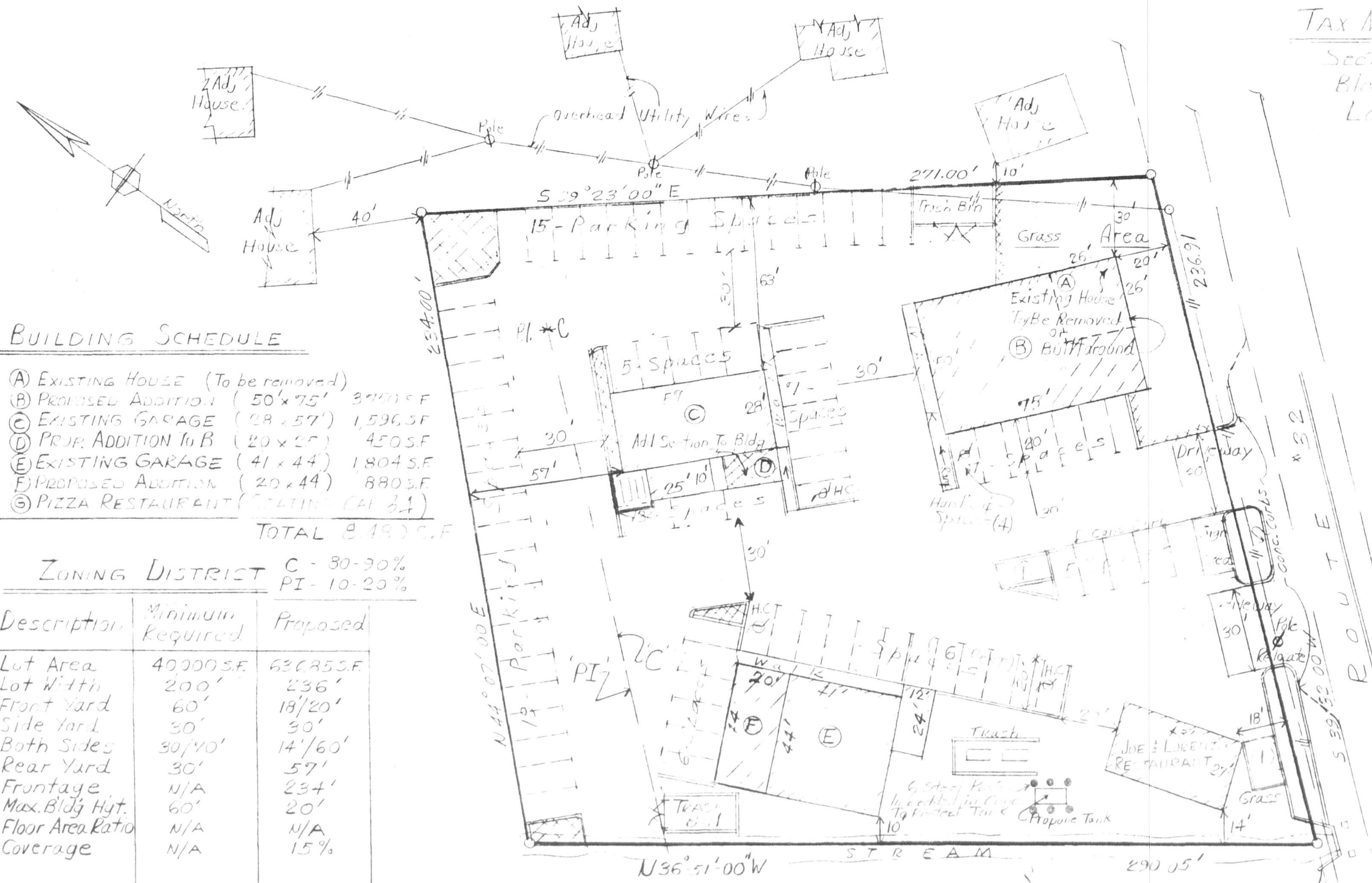
**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b> If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8?</b> If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b>	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
<b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, explain briefly	

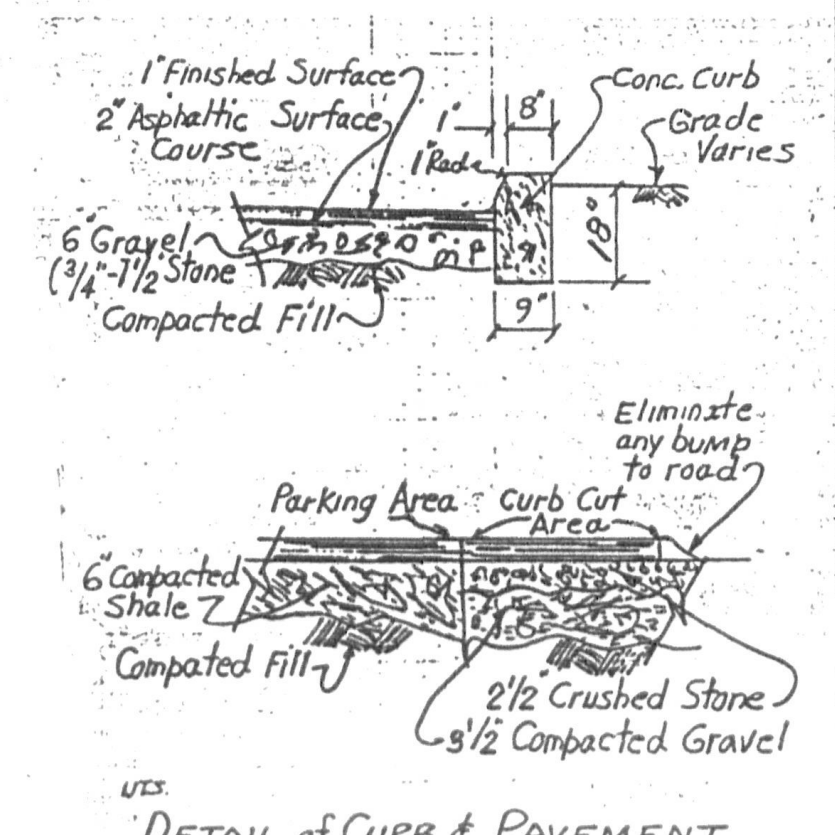
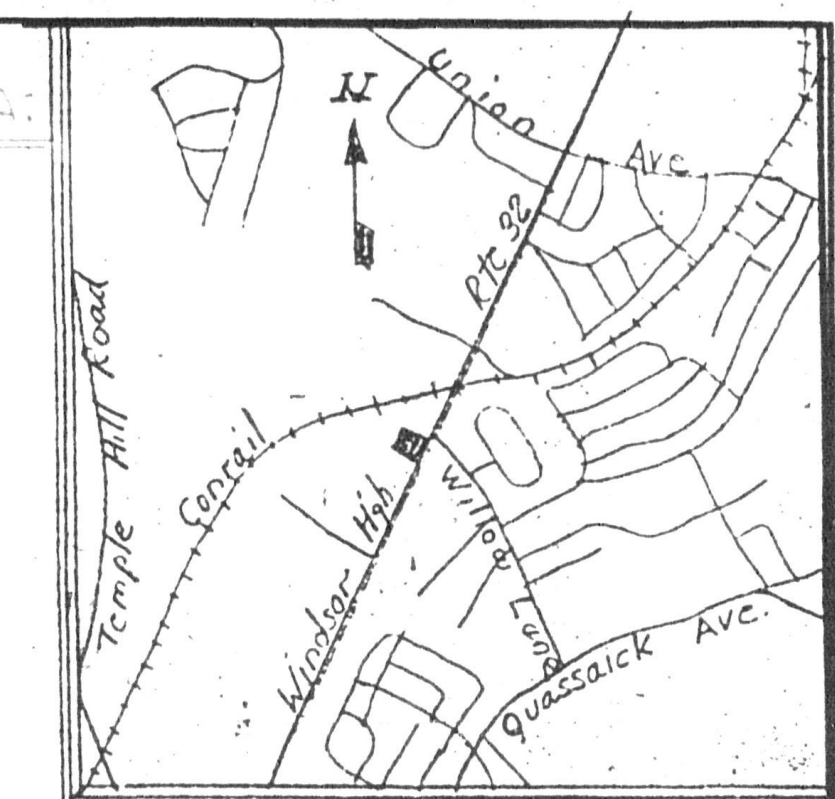
**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban, or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

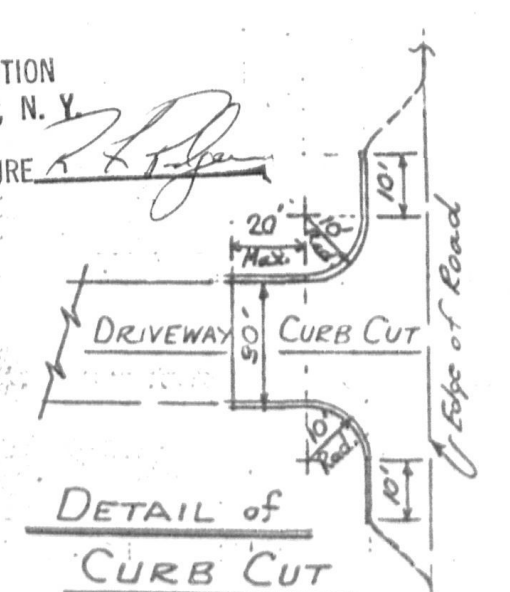
<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:	
<hr/>	
Name of Lead Agency	
<hr/>	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<hr/>	<hr/>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)
<hr/>	<hr/>
Date	
<hr/>	



TAX MAP DATA:  
Section: 35  
Block: 1  
Lot: 45



APPROVED BY THE  
BUREAU OF FIRE PREVENTION  
TOWN OF NEW WINDSOR, N. Y.  
DATE: Jan 89 SIGNATURE: [Signature]



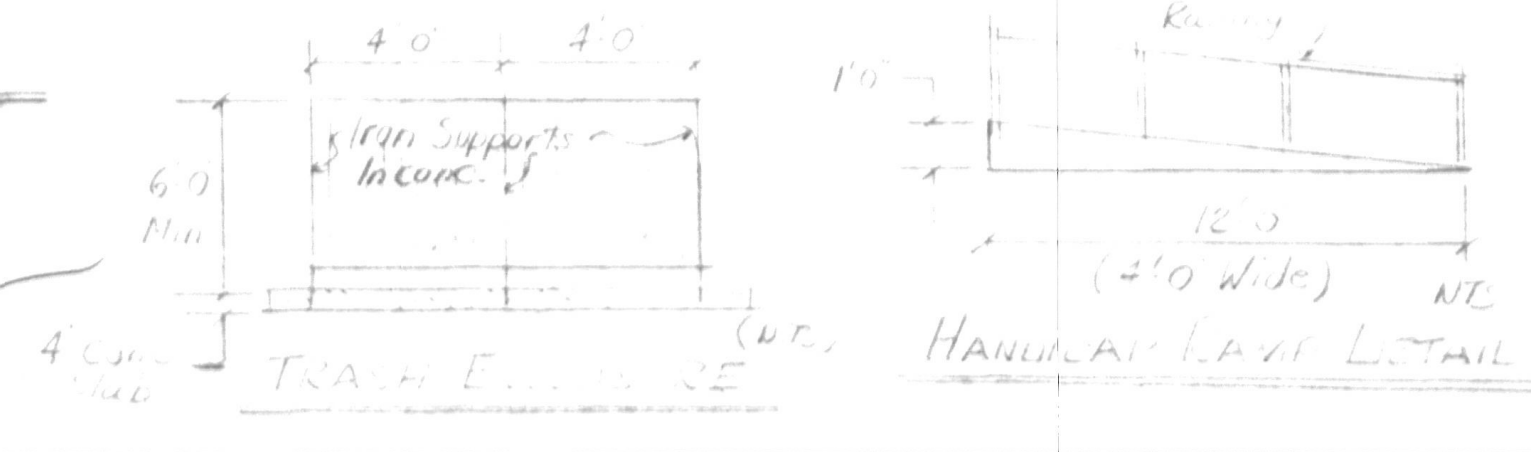
**OWNER & APPLICANT:**  
GEORGE ROSS - TOTAL  
APPLICANT  
JOE & LORENZO RESTAURANT  
571 Union Ave. - New Windsor, N.Y. 12553  
Tel. 928-9104

**PAUL V. CUOMO P.E.**  
571 Union Ave. - New Windsor, N.Y. 12553

SCALE 1"=30'	APPROVED BY HOME	DRAWN BY
DATE 9-19-88	TEL 928-9104	REVISED 12/5/88
GEORGE ROSS - 99 W. Windsor - 12553 - 12/10/88		
SITE PLAN DEVELOPMENT		
DRAWING NUMBER 1 of 1		

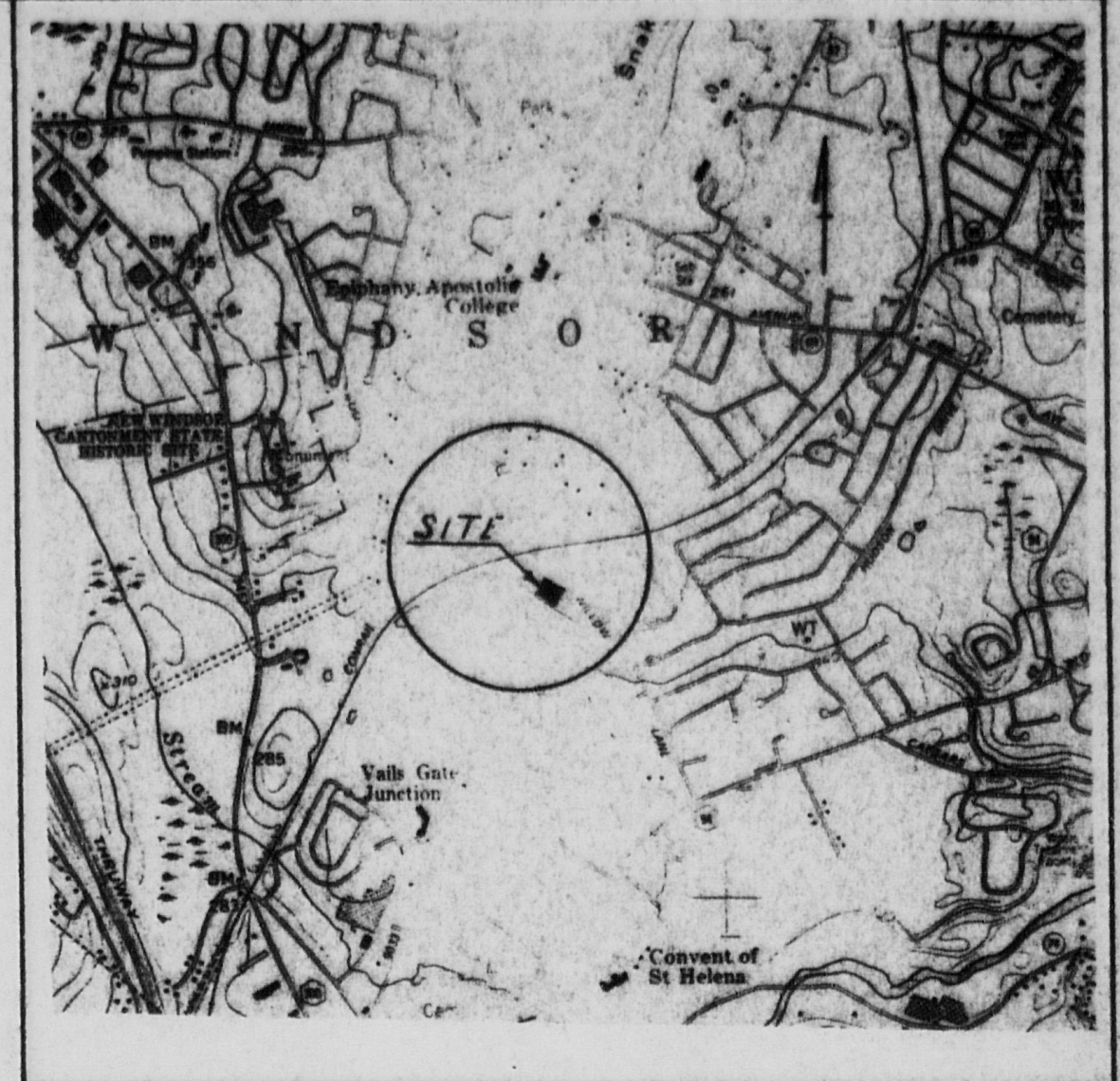


PICTURE VIEW - FRONT



DATE PRINTED: 9/19/88 700 30 CLARIFICATION BY: SAN MATEO, CA 94405





LOCATION MAP  
SCALE: 1" = 2000'

**LEGEND**

- EXISTING STOCKADE FENCE
- PROPOSED STOCKADE FENCE
- EXISTING CHAIN LINK FENCE
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- SPOT ELEVATION

**PARKING REQUIREMENTS:**

RESIDENTIAL -	2 SPACES
BUILDING #1 -	22.2 x 43.2 = 1.2 x 2 SPACES
BUILDING #2 -	34.4 x 12.4 x 24.1 = 13 SPACES
BUILDING #3 -	24.4 x 10.2 x 24.1 = 9 SPACES
TOTAL REQUIRED -	26 SPACES

**PARKING PROVIDED:**

HANDICAP (H) -	3 SPACES
CUSTOMER (C) -	27 SPACES
DISPLAY (D) -	18 SPACES
STORAGE (S) -	31 SPACES
RESIDENTIAL (R) -	2 SPACES
TOTAL PROVIDED -	79 SPACES

PROPERTY OWNER: GEORGE ROSS  
P.O. BOX 616  
POMONA, NY 10970

SURVEYED IN ACCORDANCE WITH DEEDS OF RECORD AND PHYSICAL MONUMENTATION FOUND DURING FIELD SURVEY COMPLETED ON 18 MAY 1998, BY GREVAS & HILDETH, P.C.

ELEVATION DATUM IS U.S.G.S. CONTOUR INTERVAL TWO FEET

NO CERTIFICATION IS MADE AS TO THE ACTUAL LOCATION OF UNDERGROUND UTILITIES NOT EVIDENCED BY SURFACE INDICATIONS.

AREA, SETBACK, BUILDING HEIGHT, AND SIGN VARIANCES WERE GRANTED BY THE TOWN OF NEW WINDSOR, ZONING BOARD OF APPEALS ON NOVEMBER 8, 1999.

PAVEMENT SHALL BE SEAL COATED AND STRIPED IN ACCORDANCE WITH THIS PLAN.

## PLANNING BOARD APPROVAL

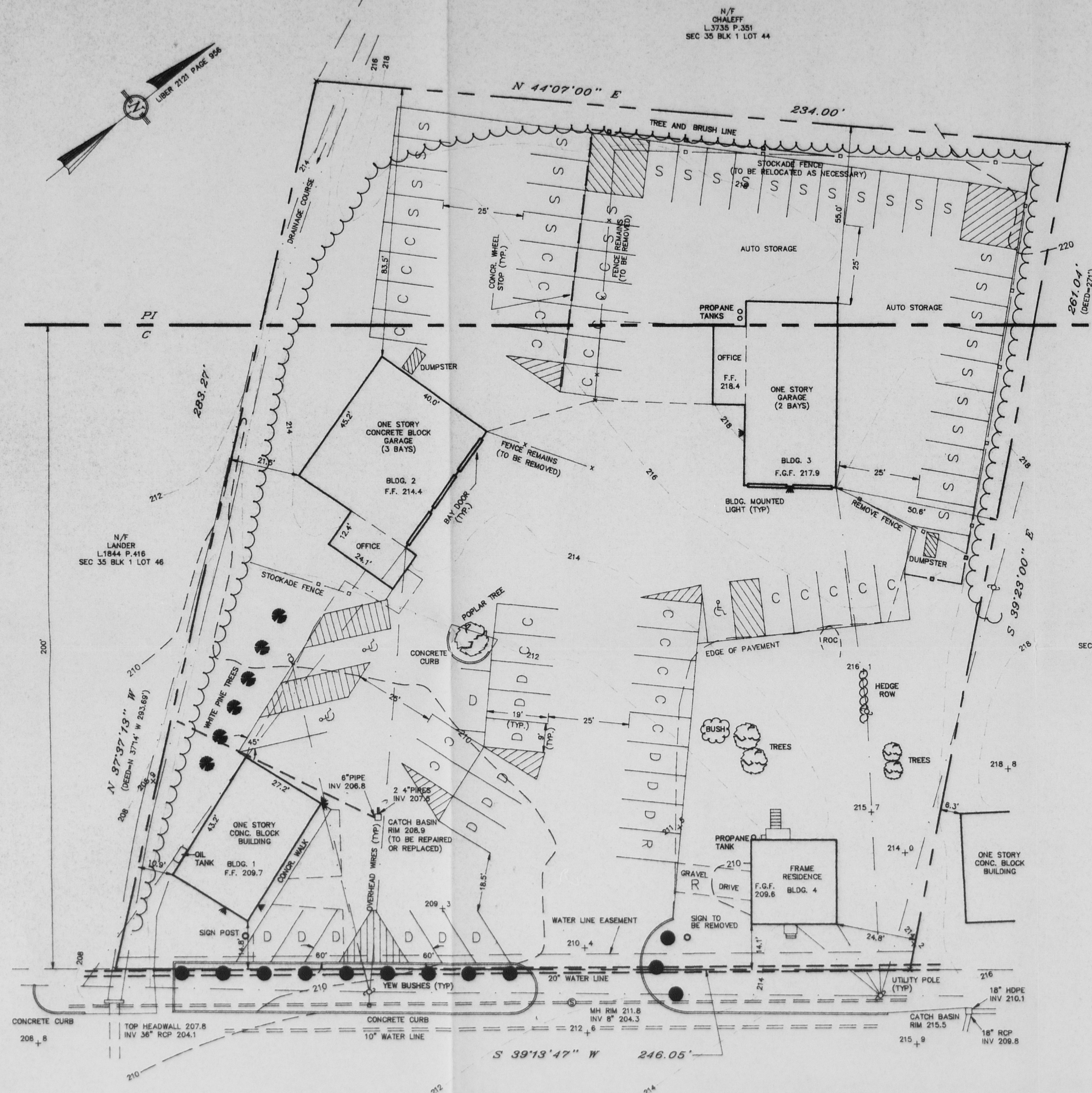
## Rte. 32 AUTO BROKERS

LANDS OF  
**GEORGE ROSS**  
SECT. 35 BLK. 1 LOT 45  
TOWN OF NEW WINDSOR ~ ORANGE CO. ~ NEW YORK

**VALDINA~MARTI**  
ENGINEERING & SURVEYING, PC  
4 PLEASANT VIEW AVE., NEWBURGH, N.Y.

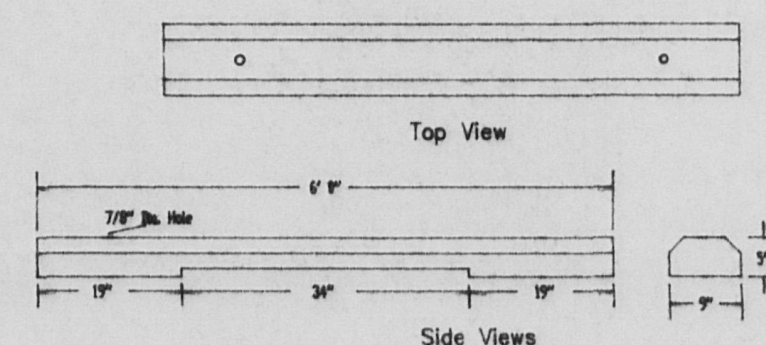
## SITE PLAN

SCALE: 1" = 20'  
DATE: 6/15/99  
DR. BY: CMM  
SHEET: 1 OF 1



Parcel Area  
64,282 S.F.  
1.48 Ac.

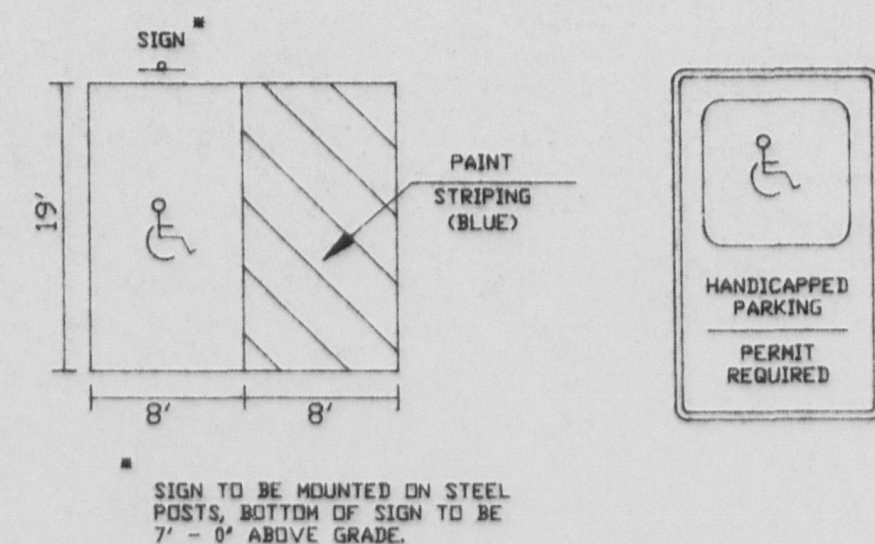
N/F  
CHALEFF  
L.3735 P.351  
SEC 35 BLK 1 LOT 44



**SPECIFICATIONS**  
CONCRETE MINIMUM STRENGTH - 4000 PSI  
REINFORCEMENT - #4 Rebar, Fiber  
AIR ENTRAINMENT - 6%

## CONCRETE WHEEL STOP DETAIL

NO SCALE



## HANDICAPPED PARKING & SIGN DETAIL

NO SCALE

## ZONING TABLE

ZONE C/P.I.

LOT AREA (SF)	MIN. REQUIREMENTS	EXISTING	PROPOSED
80,000	80,000	64,282	64,282
LOT WIDTH (FT)	200	234	234
YARD (FT): FRONT/REAR/SIDE/BOTH SIDES	60/30/30/70	14.1/55.0/10.9/35.7	14.1/55.0/10.9/35.7
BUILDING HEIGHT (FT)	10.9	20	20
DEVELOPMENT COVERAGE	N/A	N/A	N/A
BUILDING COVERAGE	0.70	0.09	0.09

\* VARIANCE GRANTED 11/8/99

## LAND USE TABLE

BLDG.	EXISTING	PROPOSED
1	VACANT	USED AUTO: SALES, LEASE & FINANCING
2	AUTO REPAIR	AUTO REPAIR
3	AUTO WHOLESALE, RECOVERY, PREP.	AUTO WHOLESALE, RECOVERY, PREP.
4	RESIDENTIAL (EXISTING)	RESIDENTIAL (EXISTING)

NO.	DATE	DESCRIPTION	BY
1	8/20/99	PER PLNG. BOARD	AB
2	11/9/99	ZBA - VARIANCES GRANTED	CM
3	12/3/99	PER PLNG. BOARD	CM

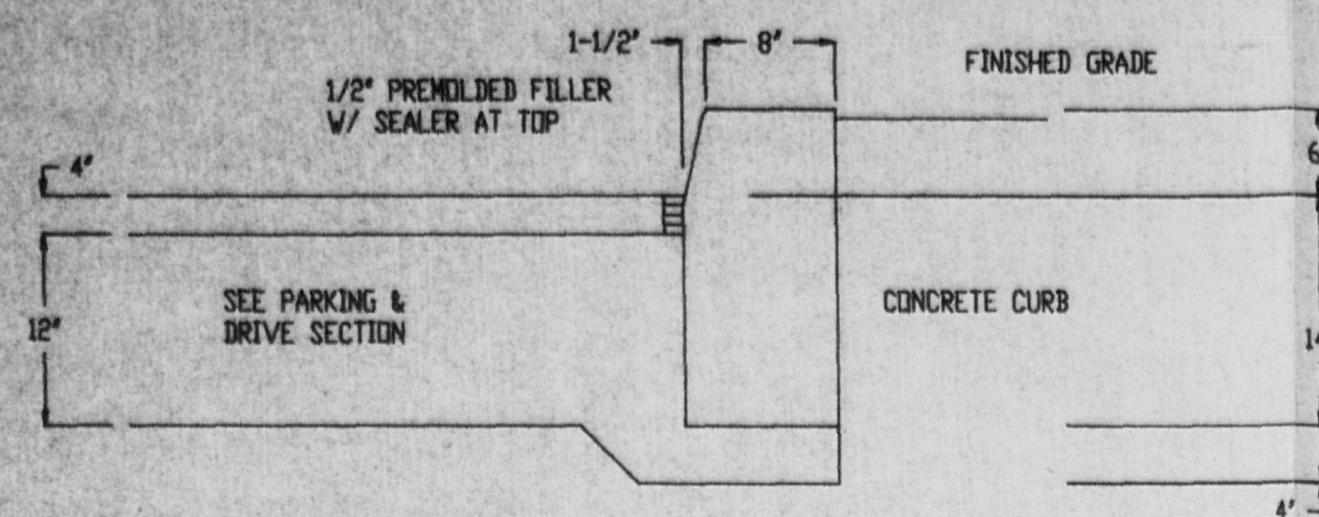
UNAUTHORIZED ADDITION OR ALTERATION OF THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW.



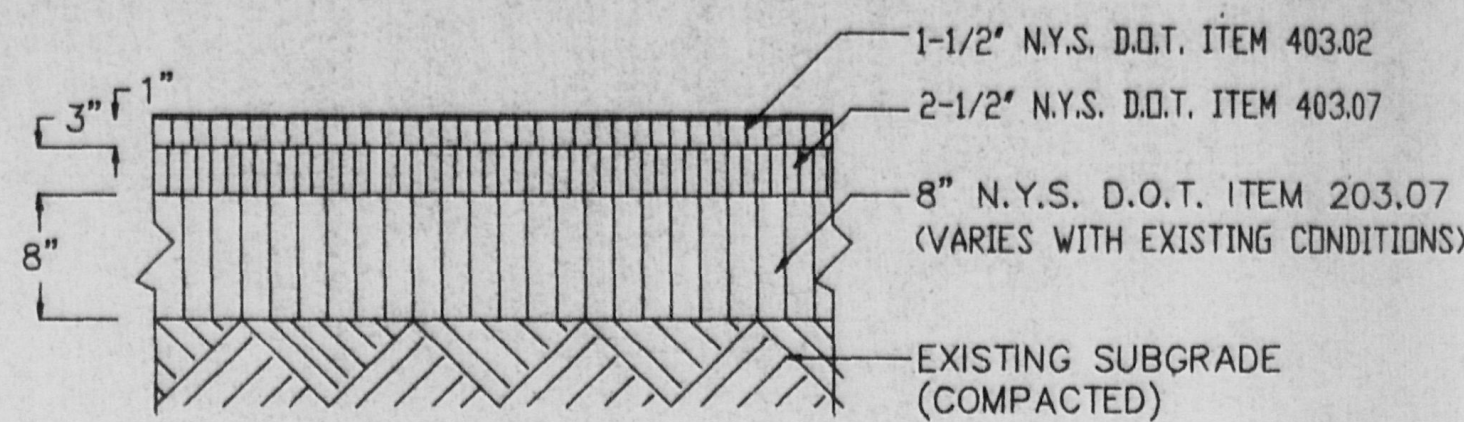
RECEIVED DEC 8 1999

99-19



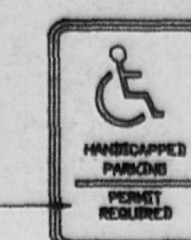


**CONCRETE CURB SECTION**  
SCALE: 1"=1'-0"



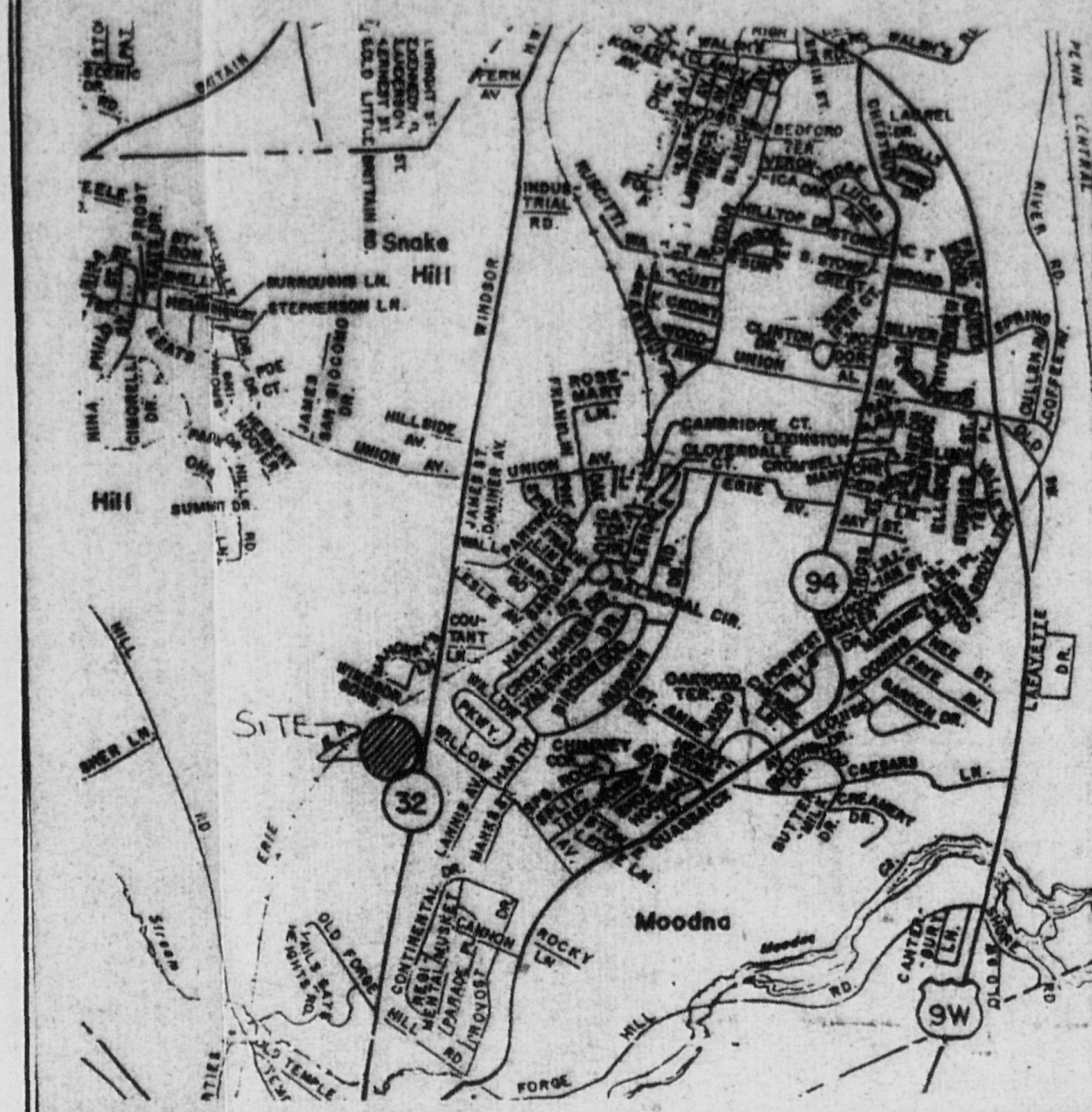
**PARKING & DRIVE SECTION**  
SCALE: 1"=1'-0"

HANDICAPPED  
PARKING SIGN  
WHITE LETTERING  
W/ BLUE BACK-  
GROUND



FINISHED GRADE  
24" x 24" POURED  
CONCRETE FOOTING

**HANDICAP SIGN DETAIL**  
NO SCALE



**LOCATION MAP**  
NO SCALE

**ZONING REQUIREMENTS** C ZONE / PI ZONE

DISTRICT C-70%/80% & PI-20%/30%  
SECTION 35 ,BLOCK 1 ,LOT 45

ITEM	REQUIRED	PROPOSED	ZBA
LOT AREA	40,000 SF	63,685 SF	
LOT WIDTH	200'	236'	
FRONT YARD	60'	18'/20'	
SIDE YARD	30'	14'/30'	
BOTH SIDES	70'	44'	
REAR YARD	30'	57'	
FRONTAGE	N/A	234'	
FLOOR AREA RATIO	0.5	.09	
COVERAGE	N/A	15%	

**PARKING REQUIREMENTS**

REQUIRED: EXIST. REST. 1 SPACE PER 3 SEATS, 30 SEATS/3 = 10 SPACES  
EXIST. SINGLE FAMILY HOUSE 2 PER DWELLING 2 SPACES  
PROP. PREP. SHOP & SERVICE 1 SPACE PER 300 SQ. FT. 1846 SQ. FT.-300 SQ. FT. (BAY)= 1546 SQ. FT./300 = 5.15 SPACES , 1 BAY = 4 SPACES  
TOTAL = 9.15 SPACES  
EXIST. TRANSMISSION SHOP 1 PER 300 SQ. FT. 1804 SQ. FT./300 = 6.01 SPACES  
2 BAYS 4 SPACES/BAY = 8 SPACES  
TOTAL = 14.01 SPACES  
TOTAL REQUIRED FOR SITE 35.16 SPACES

PROVIDED: 39 SPACES TOTAL INCLUDING 3 HANDICAPPED

OWNER:  
GEORGE ROSS

APPLICATION FOR:  
FINAL SITE PLAN APPROVAL

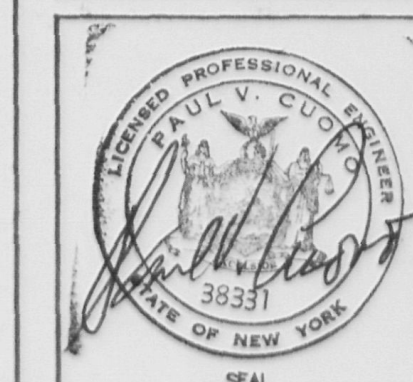
PLANNING BOARD APPROVAL BOX  
BY TOWN OF NEW WINDSOR PLANNING BOARD  
ON **NOV 30 1993**  
BY **CAROL B. DUNN, JR.** SECRETARY

NOTE:  
THIS PLAN IS COPYRIGHTED  
UNAUTHORIZED ALTERATION  
TO THIS PLAN IS A VIOLATION  
OF SECTION 7209(2) OF THE  
NEW YORK STATE EDUCATION  
LAW.

7/12/93 PLAN BD. COMM DD  
9/16/93 PLAN BD. COMM MGR  
DATE ISSUANCE BY

6/25/93 PLAN BD. COMM DD  
6/16/93 WORKSHOP DD  
6/8/93 PLAN BD. COMM DD  
6/17/93 PLAN BD. COMM DD  
8/7/93 PLAN BD. COMM MGR  
8/5/93 ENG. COMMENTS MGR  
6/18/93 PLAN BD. COMM MGR  
DATE REVISIONS BY

**PAUL V. CUOMO, P.E. & ASSOC.**  
STEWART INTERNATIONAL AIRPORT, NEW WINDSOR, N.Y. (914) 567-0063  
PROJECT TITLE: SITE PLAN & DETAILS  
PROJECT FILE: GEORGE ROSS / PROPOSED RESTAURANT, RTE. 32, NEW WINDSOR



DATE: SEPTEMBER 12, 1990

DRAWN BY: MGR

CHECKED BY: PVC

SCALE: AS NOTED

PROJECT NO.: 90228

**SP-1**